

**HB0814/716387/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 814  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Pendergrass, Charles, Cullison, Hill, Johnson, and K. Young”; strike beginning with “establishing” in line 12 down through the second “Fund;” in line 14; and strike beginning with “exempting” in line 20 down through “State;” in line 22 and substitute “requiring the Comptroller to include a certain checkoff on a certain State income tax return form;”.

On page 2, in line 2, strike “authorizing” and substitute “requiring”; in the same line, after “a” insert “certain”; in the same line, strike “for the information”; in line 6, after “Comptroller” insert “, in consultation with the Exchange and with the advice of the Workgroup,”; strike beginning with the second “and” in line 7 down through “notice” in line 34; strike beginning with “requiring” in line 34 down through “dates;” in line 38; in line 39, strike “authorizing” and substitute “requiring”; strike beginning with “stating” in line 40 down through “Assembly;” in line 41; in line 41, after “to” insert “advise the Comptroller on certain language and to”; and in line 42, after “date;” insert “requiring the Comptroller to ensure that a certain tax system has certain capability and to submit a certain report to the General Assembly on or before a certain date;”.

On page 3, in line 11, strike “31–208” and substitute “31–207”; strike in their entirety lines 15 through 29, inclusive; strike beginning with the semicolon in line 32 down through “Coverage” in line 33; and strike in their entirety lines 36 through 40, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 1 on page 4 through line 8 on page 5, inclusive.

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On page 8, strike beginning with “**SECRETARY**” in line 4 down through “**§ 5000A**” in line 6 and substitute “**EXCHANGE RECOGNIZES, CONSISTENT WITH POLICY GOALS OF SUBTITLE 2 OF THIS TITLE**”.

On page 9, strike in their entirety lines 10 and 11; strike in their entirety lines 17 and 18; in lines 12, 19, 21, 23, and 25, strike “**(F)**”, “**(H)**”, “**(I)**”, “**(J)**”, and “**(K)**”, respectively, and substitute “**(E)**”, “**(F)**”, “**(G)**”, “**(H)**”, and “**(I)**”, respectively.

On page 10, in lines 1 and 15, strike “**(L)**” and “**(M)**”, respectively, and substitute “**(J)**” and “**(K)**”, respectively; and strike in their entirety lines 19 through 31, inclusive.

On page 11, in line 14, after “**COVERAGE;**” insert “**AND**”; strike in their entirety lines 15 through 17, inclusive; in line 18, strike “**(5)**” and substitute “**(4)**”; and in line 27, strike “**§§ 14–103(A) AND 14–201(B)**” and substitute “**§ 2–115(D)**”.

On pages 13 through 15, strike in their entirety the lines beginning with line 10 on page 13 through line 8 on page 15, inclusive.

On page 15, in line 9, strike “**31–205.**” and substitute “**31–204.**”; in line 13, strike “**§ 2–215(C)(3)**” and substitute “**§ 2–115(C)(3)**”; in line 21, strike “**§ 2–215(C)(5)**” and substitute “**§ 2–115(B)(2)**”; and in line 33, strike “**OTHER**”.

On page 16, in line 28, strike “**31–206.**” and substitute “**31–205.**”; and in line 30, strike “**§ 31–205**” and substitute “**§ 31–204**”.

On page 17, in line 18, strike “**31–207.**” and substitute “**31–206.**”; in line 25, strike “**(I)**”; in lines 21, 22, and 28, strike “**§ 31–206**”, “**§ 31–205**”, and “**§ 2–215(C)(3)**”, respectively, and substitute “**§ 31–205**”, “**§ 31–204**”, and “**§ 2–115(C)(3)**”, respectively; and strike in their entirety lines 30 through 32, inclusive.

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On page 18, in line 9, strike “UNINSURED”; in line 15, strike “(1)” and substitute “(2)”; in line 17, strike “§ 33-501” and substitute “§ 31-204”; and in the same line, strike “TITLE” and substitute “SUBTITLE”.

On pages 18 through 20, strike in their entirety the lines beginning with line 18 on page 18 through line 20 on page 20, inclusive.

On page 20, in line 21, strike “31-208.” and substitute “31-207.”.

On pages 20 and 21, strike in their entirety the lines beginning with line 29 on page 20 through line 9 on page 21, inclusive.

**AMENDMENT NO. 3**

On page 22, strike in their entirety lines 1 and 2; in lines 3, 5, 7, 9, and 13, strike “(8)”, “(9)”, “(10)”, “(11)”, and “(12)”, respectively, and substitute “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively; in line 15, after “(1)” insert “**THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL INCOME TAX RETURN FORM A CHECKOFF FOR INDICATING WHETHER THE INDIVIDUAL, OR EACH SPOUSE IN THE CASE OF A JOINT RETURN, AND ANY INDIVIDUAL CLAIMED AS A DEPENDENT ON THE TAX RETURN IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED.**”.

**(2)**;

strike beginning with “LACKED” in line 16 down through “FILED” in line 18 and substitute “**IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED**”; strike beginning with “WHETHER” in line 20 down through “FILED” in line 21 and substitute “**THE AGE OF EACH UNINSURED INDIVIDUAL**”; and strike beginning with “IF” in line 22 down through “FILED,” in line 23.

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On page 23, in line 5, strike “(2)” and substitute “(3)”; and strike in their entirety lines 12 through 19, inclusive, and substitute:

**“(C) (1) IN ACCORDANCE WITH THIS SUBSECTION, THE COMPTROLLER SHALL INCLUDE WITH THE INCOME TAX RETURN FORM A SEPARATE FORM THAT IS REQUIRED ONLY FOR INDIVIDUALS WHO FILE A TAX RETURN INDICATING THAT AN INDIVIDUAL IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED.**

**(2) THE SEPARATE FORM SHALL INCLUDE TWO CHECK-OFF BOXES AS DESCRIBED IN PARAGRAPHS (3) AND (4) OF THIS SUBSECTION AND THE INFORMATION DESCRIBED IN SUBSECTION (B)(2) AND (3) OF THIS SECTION.”;**

strike beginning with “DETERMINE” in line 21 down through “INFORMATION” in line 24 and substitute “:

**(I) BASED ON INFORMATION IN THE INDIVIDUAL’S TAX RETURN, DETERMINE THE UNINSURED INDIVIDUAL’S ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS; AND**

**(II) OBTAIN ADDITIONAL DATA THAT MAY BE RELEVANT TO DETERMINE THE UNINSURED INDIVIDUAL’S ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS”;**

in line 26, strike the colon; in line 27, strike “(I)”; in the same line, strike “DETERMINATIONS” and substitute “DETERMINATION”; strike beginning with the semicolon in line 28 down through “RETURN” in line 31; and in line 32, after “COMPTROLLER” insert “, IN CONSULTATION WITH THE EXCHANGE AND WITH THE ADVICE OF THE ADVISORY WORKGROUP,”.

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On page 24, strike beginning with “**THAT**” in line 2 down through “**POSSIBLE**” in line 3; in line 4, strike “**INCLUDE WITH**” and substitute “**DEVELOP LANGUAGE FOR**”; in line 5, after “**RETURN**” insert “**THAT INCLUDES**”; in line 8, strike “**SUBSECTION (B)(1)(III) OF**”; strike beginning with “**PROVIDE**” in line 9 down through “**WORKGROUP**” in line 10 and substitute “**ENSURE THAT THE LANGUAGE DEVELOPED UNDER ITEM (I) OF THIS PARAGRAPH IS AS SIMPLE, CLEAR, AND EASY TO UNDERSTAND AS POSSIBLE**”; in line 16, after “**(D)**” insert “**(1)**”; in the same line, strike “**§§ 14–103(C) AND 14–201(B) OF THIS ARTICLE**” and substitute “**PARAGRAPH (2) OF THIS SUBSECTION**”; and after line 18, insert:

**“(2) IF THE COMPTROLLER DETERMINES, AFTER CONSULTATION WITH THE EXCHANGE, THAT THE IMPLEMENTATION OF THIS SECTION IS NOT ADMINISTRATIVELY FEASIBLE FOR TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2018, THE COMPTROLLER MAY DELAY IMPLEMENTATION OF THIS SECTION TO TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2019.”.**

On pages 24 through 37, strike in their entirety the lines beginning with line 19 on page 24 through line 35 on page 37, inclusive.

**AMENDMENT NO. 4**

On page 38, strike in their entirety lines 1 through 25, inclusive, and substitute:

**“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Health Insurance Option Advisory Workgroup required to be established under § 31–203 of the Insurance Article, as enacted by Section 1 of this Act, shall:**

**(1) advise the Comptroller on the language the Comptroller is required to develop under § 2–115(c) of the Tax – General Article, as enacted by Section 1 of this Act; and**

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(2) on or before December 31, 2022, report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(i) the effectiveness of the Maryland Health Insurance Option established under Section 1 of this Act;

(ii) recommendations as to whether implementing an individual responsibility amount or implementing automatic enrollment of individuals in a qualified health benefit plan in the individual market is feasible and in the best interest of the State; and

(iii) if the Workgroup determines that implementing an insurance responsibility amount is feasible and in the best interest of the State, the dollar amount of the individual responsibility amount and whether the State should provide an individual the option of obtaining health insurance instead of paying the individual responsibility amount.

SECTION 3. AND BE IT FURTHER ENACTED, That the Comptroller shall:

(1) ensure that the integrated tax system to which the Office of the Comptroller is currently transitioning is a system that has the capability to collect individual responsibility amounts; and

(2) on or before December 1, 2020, report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the progress the Office of the Comptroller has made in transitioning to the integrated tax system and the costs and time needed to include functionality to process and collect individual responsibility amounts in the integrated tax system.”;

and in lines 26, 30, and 35, strike “5.”, “6.”, and “7.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively.