

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0800.02 Christy Chase x2008

**HOUSE BILL 17-1235**

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**HOUSE SPONSORSHIP**

**Mitsch Bush and Hamner,**

**SENATE SPONSORSHIP**

**Coram and Crowder, Donovan**

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**House Committees**

Health, Insurance, & Environment  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A FINANCIAL RELIEF PROGRAM TO PROVIDE FINANCIAL**  
102            **ASSISTANCE TO INDIVIDUALS EARNING A HOUSEHOLD INCOME OF**  
103            **NOT MORE THAN FIVE HUNDRED PERCENT OF THE FEDERAL**  
104            **POVERTY LINE OF WHICH THEY SPEND MORE THAN FIFTEEN**  
105            **PERCENT ON HEALTH INSURANCE PREMIUMS FOR INDIVIDUAL**  
106            **HEALTH INSURANCE PURCHASED THROUGH THE COLORADO**  
107            **HEALTH BENEFIT EXCHANGE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

The bill creates a financial relief program, available from July 1, 2017, through December 31, 2018, to provide financial assistance to individuals and their families who spend more than 15% of their household income on individual health insurance premiums. The Colorado health benefit exchange (exchange) is to oversee the program, and counties may elect to administer the program in their counties. For any county that opts not to administer the program, the exchange is to administer the program in that county.

Financial relief is available to individuals and families determined eligible based on the following:

- ! The individual or family enrolled in and paid premiums for a bronze, silver, or gold level individual health benefit plan purchased through the exchange;
- ! The individual or family has a household income of more than 400%, but not more than 500%, of the federal poverty line;
- ! The individual or family does not have access to a government-sponsored program, such as medicaid or medicare, or an affordable employer-sponsored plan; and
- ! The individual or family pays more than 15% of the household income on premiums for the plan.

The exchange is to certify that an individual or family has enrolled in one of the specified health benefit plans, the premium amount of the plan, the household income of the individual or family, and that the individual or family does not have access to a government-sponsored program or employer-sponsored plan.

The amount of financial relief is calculated based on the cost of the premium for the lowest-cost bronze health benefit plan available to the individual or family through the exchange, minus an amount equal to 15% of the individual's or family's household income. The general assembly is to appropriate money from the general fund to provide financial assistance to individuals who qualify under the program.

A carrier offering individual health benefit plans on the exchange must permit an individual to purchase an individual health benefit plan on the exchange during a special enrollment period that begins June 1, 2017, and ends August 1, 2017, for plans effective through December 31, 2017. For the 2018 plan year, individuals are subject to the standard open enrollment period specified in law.

The program repeals on July 1, 2019, unless congress enacts and the president signs legislation repealing the advance premium tax credit authorized under federal law, in which case the program repeals upon the date of the repeal of said tax credit.

1           **SECTION 1. Legislative declaration.** (1) The general assembly  
2 hereby finds and declares that:

3           (a) Currently, premiums for health insurance across the nine  
4 health insurance geographic rating regions in Colorado, as well as the  
5 number of insurance carriers available and the number and variety of  
6 plans offered in the different regions, vary significantly;

7           (b) Premiums in rural areas, especially in the eastern plains and  
8 the western slope areas of the state, are considerably higher than  
9 premiums in metropolitan areas, and the number of carriers and the  
10 diversity of plans they offer are very limited in those areas. In fact, only  
11 one carrier is currently offering plans on the health benefit exchange in  
12 rural areas of the state.

13           (c) Many Coloradans in rural areas whose incomes fall between  
14 four hundred percent and five hundred percent of the federal poverty line  
15 are cost-burdened in that they spend more than fifteen percent of their  
16 household income on premiums for health insurance but earn too much  
17 to qualify for subsidies available under federal law;

18           (d) Because of the financial burden high-cost health insurance  
19 places on individuals in rural areas of the state, a considerable number of  
20 these cost-burdened individuals may not purchase health insurance in  
21 2017, exacerbating the problems of few carriers, few plan options, and  
22 high costs of health insurance in rural regions of the state as well as  
23 increasing the number of uninsured individuals in those areas;

24           (e) It is therefore important to establish a program to provide  
25 temporary financial relief to Coloradans who earn between four and five  
26 hundred percent of the federal poverty line and are spending more than  
27 fifteen percent of their household income on health insurance premiums.

1           **SECTION 2.** In Colorado Revised Statutes, **add** part 2 to article  
2 22 of title 10 as follows:

3   PART 2

4                       FINANCIAL RELIEF PROGRAM TO DEFRAY  
5                       INDIVIDUAL HEALTH INSURANCE PREMIUMS

6           **10-22-201. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8           (1) "ADMINISTERING BODY" MEANS THE COUNTY DEPARTMENT OR  
9 AGENCY ADMINISTERING THE PROGRAM IN ITS COUNTY OR, IN THE CASE OF  
10 A COUNTY THAT ELECTS NOT TO ADMINISTER THE PROGRAM, THE  
11 EXCHANGE.

12           (2) "ELIGIBLE EMPLOYER-SPONSORED PLAN" HAS THE SAME  
13 MEANING AS SET FORTH IN 26 U.S.C. SEC. 5000A (f)(2) OF THE FEDERAL  
14 "INTERNAL REVENUE CODE OF 1986", AS AMENDED.

15           (3) "FEDERAL POVERTY LINE" HAS THE SAME MEANING AS  
16 "POVERTY LINE", AS DEFINED IN 42 U.S.C. SEC. 9902 (2).

17           (4) "GOVERNMENT-SPONSORED PROGRAM" MEANS A PROGRAM  
18 LISTED IN 26 U.S.C. SEC. 5000A (f)(1)(A) OF THE FEDERAL "INTERNAL  
19 REVENUE CODE OF 1986", AS AMENDED.

20           (5) "HOUSEHOLD INCOME" HAS THE SAME MEANING AS SET FORTH  
21 IN 26 U.S.C. SEC. 36B (d)(2) OF THE FEDERAL "INTERNAL REVENUE CODE  
22 OF 1986", AS AMENDED.

23           (6) "PROGRAM" MEANS THE FINANCIAL RELIEF PROGRAM  
24 ESTABLISHED UNDER THIS PART 2.

25           (7) "PROGRAM AREA" MEANS ANY COUNTY CONTAINED WITHIN  
26 ONE OF THE THREE MOST COSTLY GEOGRAPHIC INSURANCE RATING AREAS  
27 OF THE STATE, AS DETERMINED BASED ON THE AMOUNT OF THE PREMIUMS

1 CHARGED FOR INDIVIDUAL HEALTH BENEFIT PLANS SOLD ON THE  
2 EXCHANGE IN THE GEOGRAPHIC RATING AREA.

3 (8) "QUALIFIED INDIVIDUAL" MEANS AN INDIVIDUAL OR FAMILY  
4 WHO SATISFIES THE CRITERIA FOR, AND IS DETERMINED ELIGIBLE FOR,  
5 FINANCIAL RELIEF UNDER THE PROGRAM.

6 **10-22-202. Financial relief program - assistance to defray**  
7 **individual health insurance premiums - plans purchased through**  
8 **exchange - income criteria.** (1) BEGINNING JULY 1, 2017, AND  
9 CONTINUING THROUGH DECEMBER 31, 2018, OR UNTIL THE TOTAL  
10 AMOUNT OF MONEY APPROPRIATED PURSUANT TO SECTION 10-22-204 FOR  
11 FINANCIAL RELIEF UNDER THE PROGRAM IS DISTRIBUTED, WHICHEVER  
12 OCCURS FIRST, THE EXCHANGE SHALL OVERSEE A FINANCIAL RELIEF  
13 PROGRAM IN ACCORDANCE WITH THIS PART 2 TO PROVIDE FINANCIAL  
14 ASSISTANCE TO INDIVIDUALS AND FAMILIES RESIDING IN THE PROGRAM  
15 AREA WHO PURCHASE INDIVIDUAL HEALTH INSURANCE THROUGH THE  
16 EXCHANGE AND SPEND MORE THAN FIFTEEN PERCENT OF THEIR  
17 HOUSEHOLD INCOME ON HEALTH INSURANCE PREMIUMS. A COUNTY IN THE  
18 PROGRAM AREA MAY DESIGNATE A COUNTY DEPARTMENT OR AGENCY TO  
19 ADMINISTER THE PROGRAM TO PROVIDE FINANCIAL RELIEF TO QUALIFIED  
20 INDIVIDUALS WITHIN THE COUNTY, BUT IF A COUNTY ELECTS NOT TO  
21 ADMINISTER THE PROGRAM, THE EXCHANGE SHALL ADMINISTER THE  
22 PROGRAM FOR THAT COUNTY.

23 (2) (a) TO BE ELIGIBLE FOR FINANCIAL RELIEF UNDER THE  
24 PROGRAM, AN INDIVIDUAL OR FAMILY APPLYING TO THE PROGRAM MUST  
25 DEMONSTRATE THAT THE APPLICANT:

26 (I) RESIDES IN THE PROGRAM AREA;

27 (II) ENROLLED IN AND, WITHIN SIX MONTHS AFTER APPLYING AND

1 PRIOR TO JANUARY 1, 2019, PAID PREMIUMS FOR A BRONZE, SILVER, OR  
2 GOLDLEVEL INDIVIDUAL HEALTH BENEFIT PLAN, AS DESCRIBED IN SECTION  
3 10-16-103.4, PURCHASED THROUGH THE EXCHANGE;

4 (III) HAS A HOUSEHOLD INCOME OF MORE THAN FOUR HUNDRED  
5 PERCENT, BUT NOT MORE THAN FIVE HUNDRED PERCENT, OF THE FEDERAL  
6 POVERTY LINE;

7 (IV) DOES NOT HAVE ACCESS TO, OR ELIGIBILITY FOR,  
8 ENROLLMENT IN:

9 (A) A GOVERNMENT-SPONSORED PROGRAM; OR

10 (B) AN AFFORDABLE, ELIGIBLE EMPLOYER-SPONSORED PLAN, AS  
11 DETERMINED UNDER 26 U.S.C. SEC. 36B (c)(2)(C)(i) OF THE FEDERAL  
12 "INTERNAL REVENUE CODE OF 1986", AS AMENDED; AND

13 (V) PAYS MORE THAN FIFTEEN PERCENT OF THE HOUSEHOLD  
14 INCOME ON PREMIUMS FOR THE INDIVIDUAL HEALTH BENEFIT PLAN  
15 PURCHASED THROUGH THE EXCHANGE.

16 (b) FOR AN INDIVIDUAL OR FAMILY APPLYING FOR FINANCIAL  
17 RELIEF UNDER THE PROGRAM, THE EXCHANGE SHALL CERTIFY:

18 (I) THAT THE APPLICANT RESIDES IN THE PROGRAM AREA;

19 (II) THAT THE APPLICANT HAS ENROLLED IN A BRONZE, SILVER, OR  
20 GOLDLEVEL HEALTH BENEFIT PLAN PURCHASED THROUGH THE EXCHANGE;

21 (III) THE MONTHLY PREMIUM AMOUNT THE APPLICANT PAYS FOR  
22 THE PLAN;

23 (IV) THAT THE HOUSEHOLD INCOME OF THE APPLICANT IS MORE  
24 THAN FOUR HUNDRED PERCENT, BUT NOT MORE THAN FIVE HUNDRED  
25 PERCENT, OF THE FEDERAL POVERTY LINE; AND

26 (V) THAT THE APPLICANT DOES NOT HAVE ACCESS TO, OR IS NOT  
27 ELIGIBLE TO ENROLL IN, A GOVERNMENT-SPONSORED PROGRAM OR AN

1 AFFORDABLE, ELIGIBLE EMPLOYER-SPONSORED PLAN.

2 (c) THE ADMINISTERING BODY SHALL ESTABLISH PROCEDURES AND  
3 GUIDELINES FOR OPERATING THE PROGRAM, INCLUDING PROCEDURES FOR  
4 INDIVIDUALS AND FAMILIES TO APPLY FOR THE PROGRAM.

5 (d) THE ADMINISTERING BODY SHALL ISSUE FINANCIAL RELIEF TO  
6 QUALIFIED INDIVIDUALS ON A QUARTERLY BASIS IN THE MONTH  
7 IMMEDIATELY FOLLOWING THE END OF EACH CALENDAR QUARTER IN  
8 WHICH THE APPLICANT IS DETERMINED TO BE QUALIFIED. AN APPLICANT  
9 FOR THE PROGRAM MUST APPLY FOR FINANCIAL RELIEF IN EACH CALENDAR  
10 QUARTER FOR WHICH THE APPLICANT IS SEEKING FINANCIAL ASSISTANCE  
11 AND MUST DEMONSTRATE COMPLIANCE WITH THE ELIGIBILITY CRITERIA  
12 SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION. UPON RECEIVING  
13 CERTIFICATION FROM THE EXCHANGE PURSUANT TO SUBSECTION (2)(b) OF  
14 THIS SECTION, IF THE ADMINISTERING BODY DETERMINES THAT AN  
15 APPLICANT IS QUALIFIED FOR FINANCIAL RELIEF FOR A GIVEN CALENDAR  
16 QUARTER, THE ADMINISTERING BODY SHALL CALCULATE THE FINANCIAL  
17 RELIEF PAYABLE TO THE QUALIFIED INDIVIDUAL AS SPECIFIED IN  
18 SUBSECTION (2)(e) OF THIS SECTION AND SHALL ISSUE THE FINANCIAL  
19 RELIEF TO THE QUALIFIED INDIVIDUAL IN THE MONTH IMMEDIATELY  
20 FOLLOWING THE END OF THE CALENDAR QUARTER FOR WHICH FINANCIAL  
21 RELIEF IS SOUGHT.

22 (e) THE AMOUNT OF FINANCIAL RELIEF PAYABLE TO A QUALIFIED  
23 INDIVIDUAL FOR A CALENDAR QUARTER EQUALS THE COST OF THE  
24 PREMIUM IN THAT QUARTER FOR THE LOWEST-COST BRONZE PLAN  
25 AVAILABLE TO THE QUALIFIED INDIVIDUAL THROUGH THE EXCHANGE  
26 MINUS FIFTEEN PERCENT OF THE QUALIFIED INDIVIDUAL'S HOUSEHOLD  
27 INCOME IN THAT QUARTER.

1           **10-22-203. Special enrollment period.** TO FACILITATE  
2 PARTICIPATION IN THE PROGRAM, INDIVIDUALS AND FAMILIES MAY ENROLL  
3 IN AN INDIVIDUAL HEALTH BENEFIT PLAN PURCHASED THROUGH THE  
4 EXCHANGE DURING A SPECIAL ENROLLMENT PERIOD ESTABLISHED UNDER  
5 SECTION 10-16-105.7 (4).

6           **10-22-204. Program funding - administration within existing**  
7 **resources.** (1) THE GENERAL ASSEMBLY SHALL APPROPRIATE NOT MORE  
8 THAN FIVE MILLION SEVEN HUNDRED THOUSAND DOLLARS FROM THE  
9 GENERAL FUND TO THE EXCHANGE TO PROVIDE FINANCIAL RELIEF TO  
10 QUALIFIED INDIVIDUALS UNDER THE PROGRAM. UPON REQUEST OF A  
11 COUNTY DEPARTMENT OR AGENCY ADMINISTERING THE PROGRAM IN THAT  
12 COUNTY, WHICH REQUEST DETAILS THE NUMBER OF QUALIFIED  
13 INDIVIDUALS IN THE COUNTY AND AMOUNT NEEDED TO PROVIDE  
14 FINANCIAL RELIEF TO THOSE QUALIFIED INDIVIDUALS, AS CALCULATED IN  
15 ACCORDANCE WITH SECTION 10-22-202 (2)(e), THE EXCHANGE SHALL  
16 ALLOCATE AND DISTRIBUTE MONEY APPROPRIATED PURSUANT TO THIS  
17 SUBSECTION (1) TO THE ADMINISTERING COUNTY DEPARTMENT OR  
18 AGENCY. THE EXCHANGE SHALL ESTABLISH THE PROCESS FOR HOW AND  
19 WHEN AN ADMINISTERING COUNTY DEPARTMENT OR AGENCY IS TO SUBMIT  
20 THE REQUEST AND REQUIRED DOCUMENTATION IN ORDER TO FACILITATE  
21 PAYMENT OF FINANCIAL RELIEF AS SPECIFIED IN SECTION 10-22-202 (2)(d).

22           (2) ADMINISTERING BODIES SHALL ADMINISTER THE PROGRAM  
23 WITHIN EXISTING RESOURCES AND SHALL NOT USE ANY OF THE MONEY  
24 MADE AVAILABLE TO PROVIDE FINANCIAL RELIEF UNDER THE PROGRAM  
25 FOR THEIR DIRECT OR INDIRECT COSTS IN ADMINISTERING THE PROGRAM.

26           **10-22-205. Repeal of part - notice to revisor.** (1) EXCEPT AS  
27 PROVIDED IN SUBSECTION (2) OF THIS SECTION, THIS PART 2 IS REPEALED,



1 EFFECTIVE SEPTEMBER 1, 2019.

2 (2) THIS PART 2 IS REPEALED IF, PRIOR TO SEPTEMBER 1, 2019, THE  
3 UNITED STATES CONGRESS ENACTS AND THE PRESIDENT SIGNS FEDERAL  
4 LEGISLATION AMENDING THE FEDERAL "INTERNAL REVENUE CODE OF  
5 1986", AS AMENDED, TO REPEAL 26 U.S.C. SEC. 36B, WHICH AUTHORIZES  
6 A REFUNDABLE CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN,  
7 AS DEFINED UNDER THE FEDERAL ACT. THE CHAIR OF THE BOARD SHALL  
8 NOTIFY THE REVISOR OF STATUTES IN WRITING IF THE CONDITION  
9 SPECIFIED IN THIS SUBSECTION (2) HAS OCCURRED BY E-MAILING THE  
10 NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. THIS PART 2 IS  
11 REPEALED UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE REPEAL OF  
12 26 U.S.C. SEC. 36B OCCURRED OR UPON THE DATE OF THE NOTICE TO THE  
13 REVISOR OF STATUTES IF THE NOTICE DOES NOT SPECIFY A DIFFERENT  
14 DATE.

15 **SECTION 3.** In Colorado Revised Statutes, **amend** 10-22-108 as  
16 follows:

17 **10-22-108. Money for implementation, operation, and**  
18 **sustainability of the exchange - notice to revisor - repeal.** (1) ~~Moneys~~  
19 MONEY received by the board for the implementation of this ~~article~~  
20 ARTICLE 22, and for building reserves for the operation and sustainability  
21 of the exchange pursuant to section 10-22-109, must be transferred  
22 directly to the exchange for the purposes of this ~~article~~ ARTICLE 22. The  
23 board shall deposit any ~~moneys~~ MONEY received in a banking institution  
24 within or outside the state. ~~Moneys~~ MONEY from the general fund shall  
25 not be used for the implementation of this ~~article~~ ARTICLE 22, except for  
26 the sums specified in section 10-22-107 (3) and for legislative staff  
27 agency services. The account of the banking institution must be insured

1 by the federal deposit insurance corporation and compliant with the  
2 "Public Deposit Protection Act", article 10.5 of title 11. ~~C.R.S.~~

3 (2) (a) THIS SECTION DOES NOT PRECLUDE THE GENERAL  
4 ASSEMBLY FROM APPROPRIATING, AND THE EXCHANGE FROM EXPENDING,  
5 MONEY FROM THE GENERAL FUND TO PROVIDE FINANCIAL ASSISTANCE TO  
6 INDIVIDUALS AND FAMILIES WHO QUALIFY FOR THE FINANCIAL RELIEF  
7 PROGRAM ESTABLISHED IN PART 2 OF THIS ARTICLE 22. HOWEVER, THE  
8 EXCHANGE SHALL NOT USE ANY GENERAL FUND MONEY APPROPRIATED TO  
9 THE EXCHANGE UNDER PART 2 OF THIS ARTICLE 22 TO ADMINISTER OR  
10 OTHERWISE PAY FOR COSTS INCURRED BY THE EXCHANGE OR AN  
11 ADMINISTERING COUNTY DEPARTMENT OR AGENCY IN ADMINISTERING THE  
12 FINANCIAL RELIEF PROGRAM.

13 (b) (I) EXCEPT AS PROVIDED IN SUBSECTION (2)(b)(II) OF THIS  
14 SECTION, THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
15 2019.

16 (II) THIS SUBSECTION (2) IS REPEALED IF, PRIOR TO SEPTEMBER 1,  
17 2019, THE UNITED STATES CONGRESS ENACTS AND THE PRESIDENT SIGNS  
18 FEDERAL LEGISLATION AMENDING THE FEDERAL "INTERNAL REVENUE  
19 CODE OF 1986", AS AMENDED, TO REPEAL 26 U.S.C. SEC. 36B, WHICH  
20 AUTHORIZES A REFUNDABLE CREDIT FOR COVERAGE UNDER A QUALIFIED  
21 HEALTH PLAN, AS DEFINED UNDER THE FEDERAL ACT. THE CHAIR OF THE  
22 BOARD SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF THE  
23 CONDITION SPECIFIED IN THIS SUBSECTION (2)(b)(II) HAS OCCURRED BY  
24 E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. THIS  
25 SUBSECTION (2) IS REPEALED UPON THE DATE IDENTIFIED IN THE NOTICE  
26 THAT THE REPEAL OF 26 U.S.C. SEC. 36B OCCURRED OR UPON THE DATE  
27 OF THE NOTICE TO THE REVISOR OF STATUTES IF THE NOTICE DOES NOT

1 SPECIFY A DIFFERENT DATE.

2 **SECTION 4.** In Colorado Revised Statutes, 10-16-105.7, **add** (4)  
3 as follows:

4 **10-16-105.7. Health benefit plan open enrollment periods -**  
5 **special enrollment periods - rules - notice to revisor - repeal.**

6 (4) (a) FOR PURPOSES OF ALLOWING INDIVIDUALS AND FAMILIES TO  
7 PARTICIPATE IN THE FINANCIAL RELIEF PROGRAM ESTABLISHED UNDER  
8 PART 2 OF ARTICLE 22 OF THIS TITLE 10, A CARRIER OFFERING AN  
9 INDIVIDUAL HEALTH BENEFIT PLAN ON THE EXCHANGE SHALL PERMIT AN  
10 INDIVIDUAL TO PURCHASE AN INDIVIDUAL HEALTH BENEFIT PLAN ON THE  
11 EXCHANGE DURING A SIXTY-DAY SPECIAL ENROLLMENT PERIOD THAT  
12 BEGINS JUNE 1, 2017. AN INDIVIDUAL HEALTH BENEFIT PLAN PURCHASED  
13 DURING THE SPECIAL ENROLLMENT PERIOD ESTABLISHED BY THIS  
14 SUBSECTION (4) IS EFFECTIVE THROUGH DECEMBER 31, 2017, AND AN  
15 INDIVIDUAL WHO WISHES TO PURCHASE COVERAGE FOR THE 2018 BENEFIT  
16 YEAR MUST ENROLL DURING THE OPEN ENROLLMENT PERIOD SPECIFIED IN  
17 SUBSECTION (1)(c) OF THIS SECTION FOR THAT BENEFIT YEAR. THE  
18 COMMISSIONER SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THIS  
19 SUBSECTION (4).

20 (b) (I) EXCEPT AS PROVIDED IN SUBSECTION (4)(b)(II) OF THIS  
21 SECTION, THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
22 2019.

23 (II) THIS SUBSECTION (4) IS REPEALED IF, PRIOR TO SEPTEMBER 1,  
24 2019, THE UNITED STATES CONGRESS ENACTS AND THE PRESIDENT SIGNS  
25 FEDERAL LEGISLATION AMENDING THE FEDERAL "INTERNAL REVENUE  
26 CODE OF 1986", AS AMENDED, TO REPEAL 26 U.S.C. SEC. 36B, WHICH  
27 AUTHORIZES A REFUNDABLE CREDIT FOR COVERAGE UNDER A QUALIFIED

1 HEALTH PLAN, AS DEFINED UNDER THE FEDERAL ACT. THE CHAIR OF THE  
2 BOARD SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF THE  
3 CONDITION SPECIFIED IN THIS SUBSECTION (4)(b)(II) HAS OCCURRED BY  
4 E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. THIS  
5 SUBSECTION (4) IS REPEALED UPON THE DATE IDENTIFIED IN THE NOTICE  
6 THAT THE REPEAL OF 26 U.S.C. SEC. 36B OCCURRED OR UPON THE DATE  
7 OF THE NOTICE TO THE REVISOR OF STATUTES IF THE NOTICE DOES NOT  
8 SPECIFY A DIFFERENT DATE.

9 **SECTION 5. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, and safety.