

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S.** \_\_\_\_\_

To amend the Internal Revenue Code of 1986 to ensure that working families have access to affordable health insurance coverage.

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IN THE SENATE OF THE UNITED STATES

Mr. FRANKEN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Internal Revenue Code of 1986 to ensure that working families have access to affordable health insurance coverage.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Family Coverage Act”.

5 **SEC. 2. SENSE OF CONGRESS.**

6 Notwithstanding the amendments made by section 3,  
7 it is the sense of Congress that the Secretary of Health  
8 and Human Services and the Secretary of the Treasury,  
9 within their respective jurisdictions, have the administra-  
10 tive authority necessary to apply the affordability provi-

1 sion in section 36B of the Internal Revenue Code of 1986  
2 in such a manner as to expand access to affordable health  
3 insurance coverage for working families without further  
4 legislation.

5 **SEC. 3. CLARIFICATION REGARDING DETERMINATION OF**  
6 **AFFORDABILITY OF EMPLOYER-SPONSORED**  
7 **MINIMUM ESSENTIAL COVERAGE.**

8 (a) IN GENERAL.—Clause (i) of section 36B(c)(2)(C)  
9 of the Internal Revenue Code of 1986 is amended to read  
10 as follows:

11 “(i) COVERAGE MUST BE AFFORD-  
12 ABLE.—

13 “(I) IN GENERAL.—Except as  
14 provided in clause (iii), an individual  
15 shall not be treated as eligible for  
16 minimum essential coverage if such  
17 coverage consists of an eligible em-  
18 ployer-sponsored plan (as defined in  
19 section 5000A(f)(2)) and the required  
20 contribution with respect to the plan  
21 exceeds 9.5 percent of the applicable  
22 taxpayer’s household income.

23 “(II) REQUIRED CONTRIBUTION  
24 WITH RESPECT TO EMPLOYEE.—In  
25 the case of the employee eligible to en-

1 roll in the plan, the required contribu-  
2 tion for purposes of subclause (I) is  
3 the employee’s required contribution  
4 (within the meaning of section  
5 5000A(e)(1)(B)(i)) with respect to the  
6 plan.

7 “(III) REQUIRED CONTRIBUTION  
8 WITH RESPECT TO FAMILY MEM-  
9 BERS.—In the case of an individual  
10 who is eligible to enroll in the plan by  
11 reason of a relationship the individual  
12 bears to the employee, the required  
13 contribution for purposes of subclause  
14 (I) is the employee’s required con-  
15 tribution (within the meaning of sec-  
16 tion 5000A(e)(1)(B)(i), determined by  
17 substituting ‘family’ for ‘self-only’)  
18 with respect to the plan.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) Clause (ii) of section 36B(c)(2)(C) of the  
21 Internal Revenue Code of 1986 is amended by add-  
22 ing at the end the following: “This clause shall also  
23 apply to an individual who is eligible to enroll in the  
24 plan by reason of a relationship the individual bears  
25 to the employee.”.

1           (2) Clause (iii) of section 36B(c)(2)(C) of such  
2 Code is amended by striking “the last sentence of  
3 clause (i)” and inserting “clause (i)(III)”.

4           (3) Clause (iv) of section 36B(c)(2)(C) of such  
5 Code is amended by striking “clause (i)(II)” and in-  
6 serting “clause (i)(I)”.

7       (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall apply to taxable years beginning after  
9 December 31, 2013.