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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To restore the allowance of the premium tax credit for lawfully present individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on _____

A BILL

To restore the allowance of the premium tax credit for lawfully present individuals, and for other purposes.

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 “Restoring Essential
5 Plan Coverage Act”.

1 **SEC. 2. RESTORATION OF ALLOWANCE OF PREMIUM TAX**
2 **CREDIT FOR LAWFULLY PRESENT INDIVID-**
3 **UALS.**

4 (a) IN GENERAL.—Section 71301 of Public Law
5 119–21 is repealed, and each provision of law amended
6 by such section is amended to read as such provision
7 would read if such section had never been enacted.

8 (b) EFFECTIVE DATE.—Each amendment made by
9 this section shall take effect as if included in the provision
10 of Public Law 119–21 to which such amendment relates.

11 **SEC. 3. RESTORATION OF ALLOWANCE OF PREMIUM TAX**
12 **CREDIT DURING PERIODS OF MEDICAID IN-**
13 **ELIGIBILITY DUE TO ALIEN STATUS.**

14 (a) IN GENERAL.—Section 36B(c)(1) of the Internal
15 Revenue Code of 1986, as amended by section 71302 of
16 Public Law 119–21, is amended by inserting after sub-
17 paragraph (A) the following new subparagraph:

18 “(B) SPECIAL RULE FOR CERTAIN INDIVIDUALS LAWFULLY PRESENT IN THE UNITED
19 STATES.—If—
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21 “(i) a taxpayer has a household in-
22 come which is not greater than 100 per-
23 cent of an amount equal to the poverty line
24 for a family of the size involved, and

25 “(ii) the taxpayer is an alien lawfully
26 present in the United States, but is not eli-

1 gible for the Medicaid program under title
2 XIX of the Social Security Act by reason
3 of such alien status,
4 the taxpayer shall, for purposes of the credit
5 under this section, be treated as an applicable
6 taxpayer with a household income which is
7 equal to 100 percent of the poverty line for a
8 family of the size involved.”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 this section shall apply to taxable years beginning after
11 December 31, 2025.

12 **SEC. 4. STATE OPTION TO INCREASE MAXIMUM HOUSE-**
13 **HOLD INCOME FOR BASIC HEALTH PROGRAM**
14 **ELIGIBILITY.**

15 (a) IN GENERAL.—Section 1331(e)(1)(B) of the Pa-
16 tient Protection and Affordable Care Act (42 U.S.C.
17 18051(e)(1)(B)) is amended by striking “200 percent”
18 and inserting “a percentage to be determined by the State
19 that is not less than 200 percent and not more than 250
20 percent”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 this section shall apply with respect to plan years begin-
23 ning on or after January 1, 2027.