

114TH CONGRESS
1ST SESSION

H. R. 30

To amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Mr. YOUNG of Indiana (for himself, Mr. LIPINSKI, Mr. KELLY of Pennsylvania, Mr. WALBERG, Mr. OLSON, Mr. RICE of South Carolina, Mr. FORBES, Mr. SMITH of Nebraska, Mr. WEBSTER of Florida, Mr. NEUGEBAUER, Mr. CRAWFORD, Mr. YOHIO, Mr. HILL, Mr. TURNER, Mr. BISHOP of Utah, Mr. PAULSEN, Mr. WALDEN, Mr. SCHOCK, Mr. LUETKEMEYER, Mr. PITTS, Mr. PRICE of Georgia, Mr. PALAZZO, Mr. JONES, Mr. DUFFY, Mr. LANCE, Mr. BUCHANAN, Mr. HUDSON, Mr. WOMACK, Mr. WILLIAMS, Mr. YODER, Mr. FRELINGHUYSEN, Mr. VALADAO, Mr. SANFORD, Mr. GUINTA, Mr. GOSAR, Mr. HECK of Nevada, Mr. HUIZENGA of Michigan, Mr. SCHRADER, Mr. PETERSON, Ms. GRAHAM, Mr. ASHFORD, Mr. BRAT, Mr. WHITFIELD, Mr. MEADOWS, Mr. SAM JOHNSON of Texas, Mr. WOODALL, Mr. BARLETTA, Mr. KATKO, Mrs. WALORSKI, Mr. DESANTIS, Mr. PERRY, Mr. ROE of Tennessee, Mr. MULVANEY, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mr. WESTMORELAND, Mr. BARR, Mr. STIVERS, Mr. ZELDIN, Mr. GIBBS, Mr. ROTHFUS, Mr. SCHWEIKERT, Mr. CRAMER, Mr. RIBBLE, Mr. MCCLINTOCK, Mr. LATTA, Mr. GIBSON, Mr. DUNCAN of Tennessee, Mr. JOLLY, Mr. THOMPSON of Pennsylvania, Mr. COOK, Mr. GRAVES of Missouri, Mr. REED, Mr. RODNEY DAVIS of Illinois, Mr. MCCAUL, Mrs. BLACK, Mr. ROONEY of Florida, Mr. STEWART, Mrs. WAGNER, Mr. MESSER, Ms. JENKINS of Kansas, Mr. BUCSHON, Mrs. BLACKBURN, Mr. SESSIONS, Mr. MCKINLEY, Mr. MARINO, Mr. BRADY of Texas, Mr. PEARCE, Mr. BENISHEK, Mr. COSTELLO of Pennsylvania, Mrs. NOEM, Mr. TIBERI, Mrs. BROOKS of Indiana, Mr. HUELSKAMP, Mr. MILLER of Florida, Mr. BURGESS, Mr. ROSKAM, Mr. TIPTON, Mr. FLEISCHMANN, Mr. ROHRABACHER, Mr. REICHERT, Mr. HURT of Virginia, Mr. WENSTRUP, Mrs. LUMMIS, Mr. JOYCE, Mr. BYRNE, Mr. DOLD, Mr. AMODEI, Mr. PITTINGER, Mr. HANNA, Mr. JOHNSON of Ohio, Mr. CHAFFETZ, Mr. FLORES, Mr. SHIMKUS, Mr. ROKITA, Mr. GRIFFITH, Mr. DIAZ-BALART, Mr. KLINE, Mr. POSEY, Mr. LAMBORN, Mr. COLE, Mrs. HARTZLER, Mr. CALVERT, Mr. ISSA, Mr. JORDAN, Mr. GUTHRIE, Mr. HOLDING, Mr.

SMITH of New Jersey, Mr. FORTENBERRY, Mr. WESTERMAN, Mr. COLLINS of New York, Mr. MULLIN, Mr. RATCLIFFE, Mr. SMITH of Missouri, Mrs. ELLMERS, Ms. SINEMA, Mr. POLIQUIN, Mr. BROOKS of Alabama, Mr. FARENTHOLD, Mrs. MIMI WALTERS of California, Mr. ROGERS of Kentucky, Mr. STUTZMAN, Mr. DENHAM, Mr. HENSARLING, Mr. MARCHANT, and Mrs. MILLER of Michigan) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours.

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 “Save American Work-
 5 ers Act of 2015”.

1 **SEC. 2. REPEAL OF 30-HOUR THRESHOLD FOR CLASSIFICA-**
2 **TION AS FULL-TIME EMPLOYEE FOR PUR-**
3 **POSES OF THE EMPLOYER MANDATE IN THE**
4 **PATIENT PROTECTION AND AFFORDABLE**
5 **CARE ACT AND REPLACEMENT WITH 40**
6 **HOURS.**

7 (a) **FULL-TIME EQUIVALENTS.**—Paragraph (2) of
8 section 4980H(c) of the Internal Revenue Code of 1986
9 is amended—

10 (1) by repealing subparagraph (E), and

11 (2) by inserting after subparagraph (D) the fol-
12 lowing new subparagraph:

13 “(E) **FULL-TIME EQUIVALENTS TREATED**
14 **AS FULL-TIME EMPLOYEES.**—Solely for pur-
15 poses of determining whether an employer is an
16 applicable large employer under this paragraph,
17 an employer shall, in addition to the number of
18 full-time employees for any month otherwise de-
19 termined, include for such month a number of
20 full-time employees determined by dividing the
21 aggregate number of hours of service of employ-
22 ees who are not full-time employees for the
23 month by 174.”.

24 (b) **FULL-TIME EMPLOYEES.**—Paragraph (4) of sec-
25 tion 4980H(c) of the Internal Revenue Code of 1986 is
26 amended—

1 (1) by repealing subparagraph (A), and
2 (2) by inserting before subparagraph (B) the
3 following new subparagraph:

4 “(A) IN GENERAL.—The term ‘full-time
5 employee’ means, with respect to any month, an
6 employee who is employed on average at least
7 40 hours of service per week.”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to months beginning after Decem-
10 ber 31, 2013.

11 **SEC. 3. BUDGETARY EFFECTS.**

12 The budgetary effects of this Act shall not be entered
13 on either PAYGO scorecard maintained pursuant to sec-
14 tion 4(d) of the Statutory Pay-As-You-Go Act of 2010.

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