

113TH CONGRESS
1ST SESSION

H. R. 2575

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

JUNE 28, 2013

Mr. YOUNG of Indiana (for himself, Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. WALBERG, Mr. GRIFFIN of Arkansas, Mr. RIGELL, Mr. HARRIS, Mr. SOUTHERLAND, Mr. DUNCAN of South Carolina, Mr. MCHENRY, Mr. BARR, Mr. YODER, Mr. GOODLATTE, Mr. SAM JOHNSON of Texas, Mr. TIBERI, Mr. BOUSTANY, Mr. MARCHANT, Mr. GERLACH, Mr. REICHERT, Mr. CAMP, Mr. SCHOCK, Mr. NUNES, Mr. PAULSEN, Mr. VALADAO, Mr. JONES, Mr. BROUN of Georgia, Mr. FARENTHOLD, Mr. FORBES, Mr. YOHO, Mr. AUSTIN SCOTT of Georgia, Mr. BRADY of Texas, Mr. GUTHRIE, Mr. RIBBLE, Mr. BUCSHON, Mr. HUIZENGA of Michigan, Mr. MESSER, Mr. MCKINLEY, Mr. ROONEY, Mr. ROKITA, Mrs. BLACK, Mr. CHABOT, Ms. JENKINS, Mr. SMITH of Nebraska, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. REED, Mr. PALAZZO, Mr. BUCHANAN, Mr. SENSENBRENNER, Mr. DUFFY, Mr. WITTMAN, Mr. PITTENGER, Mr. FLORES, Mrs. BLACKBURN, Mr. LONG, Mr. NUNNELEE, Mr. CRAMER, Mrs. WALORSKI, Mr. HALL, Mr. RADEL, Mr. SALMON, Mr. HANNA, Mr. BENISHEK, Mr. COLLINS of New York, Mr. PRICE of Georgia, Mr. WILSON of South Carolina, Mr. RENACCI, Mr. HOLDING, Mr. RODNEY DAVIS of Illinois, Mr. WOMACK, Mr. KLINE, Mr. FLEMING, Mr. GINGREY of Georgia, Mr. FRANKS of Arizona, Mr. JORDAN, Mr. ISSA, Mr. LUETKEMEYER, Mr. CRAWFORD, Mr. COLLINS of Georgia, Mr. POMPEO, Mr. NUGENT, Mr. MULLIN, Mr. MILLER of Florida, Mr. HUDSON, Mr. ROE of Tennessee, Mr. HUELSKAMP, Mr. CALVERT, Mr. SESSIONS, Mr. AMODEI, Mr. KINZINGER of Illinois, Mrs. BROOKS of Indiana, Mr. CONAWAY, Mr. JOHNSON of Ohio, Mr. COLE, Mr. YOUNG of Alaska, Mr. KING of New York, Mr. BROOKS of Alabama, Mr. ROGERS of Michigan, Mr. CHAFFETZ, Mr. HUNTER, Mr. POE of Texas, Mr. LAMALFA, Mr. FRELINGHUYSEN, Mr. BACHUS, Ms. GRANGER, Mr. WEBSTER of Florida, Mr. WEBER of Texas, Mr. THORNBERRY, Mr. PEARCE, Mr. PITTS, Mr. PERRY, and Mr. ROTHFUS) introduced the following bill; which was referred to the Committee on Ways and Means

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 2013”.

6 **SEC. 2. REPEAL OF 30-HOUR THRESHOLD FOR CLASSIFICA-**
 7 **TION AS FULL-TIME EMPLOYEE FOR PUR-**
 8 **POSES OF THE EMPLOYER MANDATE IN THE**
 9 **PATIENT PROTECTION AND AFFORDABLE**
 10 **CARE ACT AND REPLACEMENT WITH 40**
 11 **HOURS.**

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

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

16 (2) by inserting after subparagraph (D) the fol-
 17 lowing new subparagraph:

18 “(E) **FULL-TIME EQUIVALENTS TREATED**
 19 **AS FULL-TIME EMPLOYEES.**—Solely for pur-
 20 poses of determining whether an employer is an

1 applicable large employer under this paragraph,
2 an employer shall, in addition to the number of
3 full-time employees for any month otherwise de-
4 termined, include for such month a number of
5 full-time employees determined by dividing the
6 aggregate number of hours of service of employ-
7 ees who are not full-time employees for the
8 month by 174.”.

9 (b) FULL-TIME EMPLOYEES.—Paragraph (4) of sec-
10 tion 4980H(c) of the Internal Revenue Code of 1986 is
11 amended—

12 (1) by repealing subparagraph (A), and

13 (2) by inserting before subparagraph (B) the
14 following new subparagraph:

15 “(A) IN GENERAL.—The term ‘full-time
16 employee’ means, with respect to any month, an
17 employee who is employed on average at least
18 40 hours of service per week.”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall take effect as if included in the amend-
21 ments made by section 1513 of the Patient Protection and
22 Affordable Care Act.

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