HOUSE DOCKET, NO. 2814 FILED ON: 2/18/2011

HOUSE . . . . . No. 3543

The Commonwealth of Massachusetts

PRESENTED BY:

Geraldine M. Creedon

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to fair share employer contribution.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geraldine M. Creedon	*11th Plymouth*
Christine E. Canavan	*10th Plymouth*
Michael D. Brady	*9th Plymouth*
Cory Atkins	*14th Middlesex*
Jennifer E. Benson	*37th Middlesex*
Geoff Diehl	*7th Plymouth*
James J. Dwyer	*30th Middlesex*
Randy Hunt	*5th Barnstable*
James J. Lyons, Jr.	*18th Essex*
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
Paul McMurtry	*11th Norfolk*
William Smitty Pignatelli	*4th Berkshire*
Elizabeth A. Poirier	*14th Bristol*
Todd M. Smola	*1st Hampden*

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By Ms. Creedon of Brockton, a petition (accompanied by bill, House, No. 3543) of Geraldine M. Creedon and others relative to fair share employer health care contributions. Health Care Financing.

The Commonwealth of Massachusetts

An Act relative to fair share employer contribution.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (a) of section 188 of chapter 149, as appearing in the 2010 Official Edition, is hereby amended by adding the following definition:-

"Exempted employer", an employer whose employees are dependents under a group health plan, as defined in 26 U.S.C. 5000(b)(1).

SECTION 2. Said section 188 of said chapter 149 is hereby further amended by striking out the first sentence, as appearing in section 135 of chapter 3 of the acts of 2011, and inserting in place thereof the following sentence:- For the purpose of more equitably distributing the costs of health care provided to uninsured residents of the commonwealth, each employer that (i) employs 11 or more full-time equivalent employees in the commonwealth and (ii) is not a contributing employer nor an exempted employer shall pay a per-employee contribution at a time and in a manner prescribed by the director of unemployment assistance, in this section called the fair share employer contribution.

SECTION 3. Said section 188 of said chapter 149, as appearing in the 2010 Official Edition, is hereby further amended by adding the following subsection:-

(f) Each exempted employer shall provide the department with evidence that its employees are dependents under a group health plan, as defined by 26 U.S.C. 5000(b)(1), at a time and in a manner prescribed by the director of unemployment assistance.