

WITHDRAWN

1 Senators Hudgens of the 47th and Shafer of the 48th offered the following amendment:

2 *Amend the Senate Insurance and Labor Committee substitute to HB 1456 (LC 37 0166S) by*
 3 *striking line 6 of page 1 and inserting in its place the following:*

4 to provide for related matters; to amend Chapter 8 of Title 33 of the Official Code of
 5 Georgia Annotated, relating to fees and taxes, so as to provide for an exemption for certain
 6 high deductible health plans sold or maintained in connection with a health savings account
 7 with respect to state insurance premium taxes; to amend Chapter 7 of Title 48 of the
 8 Official Code of Georgia Annotated, relating to income taxes, so as to provide that the
 9 taxable net income of any taxpayer of this state shall not include premiums paid for high
 10 deductible health plans established and used with a health savings account; to provide for
 11 conditions and limitations; to provide for related matters; to provide for effective dates; to
 12 provide for applicability; to repeal conflicting laws; and for other purposes.

13 *By striking lines 24 and 25 of page 2 and inserting in their place the following:*

14 **SECTION 3.**

15 Chapter 8 of Title 33 of the Official Code of Georgia Annotated, relating to fees and taxes,
 16 is amended by inserting a new subsection (c) in Code Section 33-8-4, relating to amount and
 17 method of computing tax on insurance premiums generally, to read as follows:

18 "(c) Insurers may claim an exemption from otherwise applicable state premium taxes as
 19 provided for in subsection (a) of this Code section in an amount equal to 2.25 percent of
 20 the premiums such insurers collect during the applicable tax year from Georgia residents
 21 on premiums paid for high deductible health plans sold or maintained in connection with
 22 a health savings account under the applicable provisions of Section 223 of the Internal
 23 Revenue Code."

24 **SECTION 4.**

25 Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes,
 26 is amended by inserting a new paragraph (13.1) in subsection (a) of Code Section 48-7-27,
 27 relating to computation of taxable net income, to read as follows:

28 "(13.1) An amount equal to 100 percent of the premium paid by the taxpayer during the
 29 taxable year for high deductible health plans established and used with a health savings
 30 account under the applicable provisions of Section 223 of the Internal Revenue Code to

1 the extent the deduction has not been included in federal adjusted gross income, as
2 defined under the Internal Revenue Code of 1986, and the expenses have not been
3 included in itemized nonbusiness deductions. "

4 **SECTION 5.**

5 (a) Except as provided in subsection (b) of this section, this Act shall become effective on
6 July 1, 2006.

7 (b) Sections 3 and 4 of this Act shall become effective on January 1, 2007, and shall be
8 applicable to all taxable years beginning on and after January 1, 2007.

9 **SECTION 6.**

10 All laws and parts of laws in conflict with this Act are repealed.