

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4723
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Protecting Taxpayers
3 by Recovering Improper Obamacare Subsidy Overpay-
4 ments Act”.

**5 SEC. 2. RECOVERY OF IMPROPER OVERPAYMENTS RESULT-
6 ING FROM CERTAIN FEDERALLY SUBSIDIZED
7 HEALTH INSURANCE.**

8 (a) IN GENERAL.—Section 36B(f)(2) of the Internal
9 Revenue Code of 1986 is amended by striking subpara-
10 graph (B).

11 (b) CONFORMING AMENDMENTS.—

12 (1) Clause (ii) of section 35(g)(12)(B) of such
13 Code is amended by striking “, except that” and all
14 that follows and inserting a period.

15 (2) So much of paragraph (2) of section 36B(f)
16 of such Code as precedes “advance payments” is
17 amended to read as follows:

18 “(2) EXCESS ADVANCE PAYMENTS.—If the”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 December 31, 2016.

