

119TH CONGRESS
1ST SESSION

H. R. 6316

To amend the Internal Revenue Code of 1986 to extend the premium tax credit and provide for advance payment of the credit to taxpayers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 25, 2025

Mr. VAN DREW introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 extend the premium tax credit and provide for advance payment of the credit to taxpayers, and for other purposes.

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 “Tax Credit Extension
5 Act”.

1 **SEC. 2. EXTENSION AND MODIFICATION OF INCREASED**
2 **PREMIUM TAX CREDIT.**

3 (a) **EXTENSION.**—Section 36B(b)(3)(A)(iii) of the
4 Internal Revenue Code of 1986 is amended—

5 (1) by striking “January 1, 2026” and insert-
6 ing “January 1, 2028”,

7 (2) by striking “THROUGH 2025” in the head-
8 ing thereof and inserting “THROUGH 2027”.

9 (b) **HOUSEHOLD INCOME CAP.**—

10 (1) **IN GENERAL.**—The table in section
11 36B(b)(A)(3)(iii) of such Code is amended by strik-
12 ing “and higher” and inserting “up to 700.0 per-
13 cent”.

14 (2) **CONFORMING AMENDMENT.**—Section
15 36B(c)(1)(E) of such Code is amended—

16 (A) by striking “shall be applied without
17 regard to” and inserting “shall be applied by
18 substituting ‘but does not exceed 700 percent’
19 for”, and

20 (B) by striking “THROUGH 2025” in the
21 heading and inserting “THROUGH 2027”.

22 (c) **EFFECTIVE DATE.**—The amendment made by
23 this section shall apply to taxable years beginning after
24 December 31, 2025.

1 **SEC. 3. ADVANCE PAYMENT OF PREMIUM TAX CREDIT**
2 **MADE DIRECTLY TO INDIVIDUALS OR TO**
3 **PERSONAL HSA.**

4 (a) IN GENERAL.—Section 1412(a)(3) of the Patient
5 Protection and Affordable Care Act is amended—

6 (1) by striking “credit or reductions to the
7 issuers” and inserting the following: “credit or re-
8 ductions—

9 “(A) on the election of the individual, to
10 the issuer”,

11 (2) by striking the period at the end and insert-
12 ing “, and”, and

13 (3) by adding at the end the following new sub-
14 paragraph:

15 “(B) in the case of an individual who is
16 covered under a plan in the bronze level, or a
17 catastrophic plan, and who so elects, to the per-
18 sonal HSA (as defined in section 223(h) of the
19 Internal Revenue Code of 1986) of the indi-
20 vidual,

21 “(C) in the absence of either such election,
22 to individuals.”.

23 (b) PERSONAL HSAs.—Section 223 of the Internal
24 Revenue Code of 1986 is amended by redesignating sub-
25 section (h) as subsection (i) and by inserting after sub-
26 section (g) the following new subsection:

1 “(h) PERSONAL HSAs.—

2 “(1) IN GENERAL.—An individual may elect to
3 designate a health savings account as, or establish in
4 a health savings account a separate account to be
5 treated as, a Personal HSA.

6 “(2) PERSONAL HSA.—A personal HSA shall be
7 treated for purposes of this section in the same man-
8 ner as a health savings account, except that—

9 “(A) no contributions may be made to a
10 personal HSA other than advance payments
11 made by the Secretary under section
12 1412(a)(3)(B) of the Patient Protection and
13 Affordable Care Act or amounts rolled over
14 from another personal HSA of the account ben-
15 eficiary,

16 “(B) such contributions shall not be taken
17 into account under subsection (a), and

18 “(C) subsection (d) shall be applied with-
19 out regard to paragraph (2)(B).”.

20 (c) EFFECTIVE DATE.—

21 (1) SUBSECTION (a).—The amendments made
22 by subsection (a) shall apply to determinations made
23 after December 31, 2025.

1 (2) SUBSECTION (b).—The amendments made
2 by subsection (b) shall apply to taxable years ending
3 after December 31, 2025.

4 **SEC. 4. MINIMUM PREMIUM RESPONSIBILITY.**

5 (a) IN GENERAL.—Section 36B(b)(2) of the Internal
6 Revenue Code of 1986 is amended by adding at the end
7 the following new flush matter:

8 “The premium assistance amount for any coverage
9 month shall not exceed an amount equal to the ex-
10 cess of the monthly premium amount determined for
11 such month under subparagraph (A), reduced by
12 such uniform minimum premium responsibility
13 amount as the Secretary, in consultation with the
14 Secretary of Health and Human Services, may pre-
15 scribe for coverage months beginning during a
16 year.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to taxable years beginning after
19 December 31, 2025.

20 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR COST-**
21 **SHARING REDUCTION PAYMENTS.**

22 There are authorized to be appropriated to carry out
23 the payment of cost-sharing reductions under section 1412
24 of the Patient Protection and Affordable Care Act such
25 amounts as the Secretary of the Treasury, in consultation

1 with the Secretary of Health and Human Services, deter-
 2 mines are necessary.

3 **SEC. 6. DETERMINATION OF IMMIGRATION STATUS FOR**
 4 **PREMIUM TAX CREDIT.**

5 (a) IN GENERAL.—Section 35B(c)(5) of the Internal
 6 Revenue Code of 1986 is amended by adding at the end
 7 the following new subparagraph:

8 “(G) DETERMINATION OF LEGAL STA-
 9 TUS.—The Secretary and the Secretary of
 10 Health and Human Services shall, in consulta-
 11 tion with the Secretary of Homeland Security,
 12 assist Exchanges with determining whether
 13 alien individuals are lawfully present in the
 14 United States, and, in the case of taxable years
 15 beginning after December 31, 2026, whether
 16 alien individuals are eligible aliens.”.

17 (b) EFFECTIVE DATE.—The amendment made by
 18 this section shall apply to taxable years beginning after
 19 December 31, 2025.

20 **SEC. 7. SENSE OF CONGRESS REGARDING ALIENS.**

21 It is the sense of Congress that no credit shall be
 22 allowed under section 36B of the Internal Revenue Code
 23 of 1986 with respect to any individual who is an alien not
 24 lawfully present in the United States, and in the case of
 25 taxable years beginning after December 31, 2026, with re-

- 1 spect to any individual who is an alien not lawfully present
- 2 or, in the case of an alien lawfully present, an individual
- 3 who is not an eligible alien.

