

114TH CONGRESS
1ST SESSION

H. R. 1387

To amend the Internal Revenue Code of 1986 to provide for the determination of the employer mandate under the Patient Protection and Affordable Care Act without regard to alien agricultural seasonal workers.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2015

Mrs. ELLMERS of North Carolina (for herself, Mr. WHITFIELD, Mr. HURT of Virginia, Mr. GIBBS, Mr. LAMALFA, Mr. ROUZER, Mr. TIPTON, and Mr. JONES) 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 provide for the determination of the employer mandate under the Patient Protection and Affordable Care Act without regard to alien agricultural seasonal workers.

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 “Fairness for Farmers
5 Act of 2015”.

1 **SEC. 2. DETERMINATION OF EMPLOYER MANDATE WITH-**
2 **OUT REGARD TO ALIEN AGRICULTURAL SEA-**
3 **SONAL WORKERS.**

4 (a) **IN GENERAL.**—Section 4980H(c)(4) of the Inter-
5 nal Revenue Code of 1986 is amended by adding at the
6 end the following new subparagraph:

7 “(C) **EXCEPTION FOR CERTAIN ALIEN AG-**
8 **RICULTURAL SEASONAL WORKERS.**—In the case
9 of any alien having status under section
10 101(a)(15)(H)(ii)(a) of the Immigration and
11 Nationality Act (8 U.S.C.
12 1101(a)(15)(H)(ii)(a))—

13 “(i) the term ‘full-time employee’ shall
14 not include such individual, and

15 “(ii) such individual shall not be
16 taken into account under paragraph
17 (2)(E).”.

18 (b) **EFFECTIVE DATE.**—The amendment made by
19 this section shall apply to months beginning after the date
20 of the enactment of this Act.

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