

103D CONGRESS
1ST SESSION

H. R. 1576

To amend the Internal Revenue Code of 1986 to reinstate the excise tax on certain vaccines and extend the Vaccine Injury Compensation Trust Fund.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 1993

Mr. MATSUI 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 reinstate the excise tax on certain vaccines and extend the Vaccine Injury Compensation Trust Fund.

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. EXTENSION OF THE EXCISE TAX ON CERTAIN**
4 **VACCINES AND THE VACCINE INJURY COM-**
5 **PENSATION TRUST FUND.**

6 (a) TAX.—Paragraphs (2) and (3) of section 4131(c)
7 of the Internal Revenue Code of 1986 (relating to tax on
8 certain vaccines) are each amended by striking “1992”
9 each place it appears and inserting “1994”.

1 (b) TRUST FUND.—Paragraph (1) of section 9510(c)
2 of such Code (relating to expenditures from Vaccine In-
3 jury Compensation Trust Fund) is amended by striking
4 “1992” and inserting “1994”.

5 (c) APPLICATION OF TAX.—Section 4131 of such
6 Code is amended by adding at the end thereof the follow-
7 ing new subsection:

8 “(d) APPLICATION OF SECTION.—The tax imposed
9 by this section shall apply—

10 “(1) after December 31, 1987, and before Jan-
11 uary 1, 1993, and

12 “(2) except as provided subsection (c), during
13 periods after the date of the enactment of this sub-
14 section.”

15 (d) STUDY.—The Secretary of the Treasury, in con-
16 sultation with the Secretary of Health and Human Serv-
17 ices, shall conduct a study of—

18 (1) the estimated amount that will be paid from
19 the Vaccine Injury Compensation Trust Fund with
20 respect to vaccines administered after September
21 30, 1988, and before October 1, 1994,

22 (2) the rates of vaccine-related injury or death
23 with respect to the various types of such vaccines,

1 (3) new vaccines and immunization practices
2 being developed or used for which amounts may be
3 paid from such Trust Fund,

4 (4) whether additional vaccines should be in-
5 cluded in the vaccine injury compensation program,
6 and

7 (5) the appropriate treatment of vaccines pro-
8 duced by State governmental entities.

9 The report of such study shall be submitted not later than
10 1 year after the date of the enactment of this Act, to the
11 Committee on Ways and Means of the House of Rep-
12 resentatives and the Committee on Finance of the Senate.

13 (e) FLOOR STOCKS TAX.—

14 (1) IMPOSITION OF TAX.—On any taxable vac-
15 cine—

16 (A) which was sold by the manufacturer,
17 producer, or importer before the date of the en-
18 actment of this Act,

19 (B) on which no tax was imposed by sec-
20 tion 4131 of the Internal Revenue Code of 1986
21 (or, if such tax was imposed, was credited or re-
22 funded), and

23 (C) which is held on such date by any per-
24 son for sale or use,

1 there is hereby imposed a tax in the amount deter-
2 mined under section 4131(b) of such Code.

3 (2) LIABILITY FOR TAX AND METHOD OF PAY-
4 MENT.—

5 (A) LIABILITY FOR TAX.—The person
6 holding any taxable vaccine to which the tax
7 imposed by paragraph (1) applies shall be liable
8 for such tax.

9 (B) METHOD OF PAYMENT.—The tax im-
10 posed by paragraph (1) shall be paid in such
11 manner as the Secretary shall prescribe by reg-
12 ulations.

13 (C) TIME FOR PAYMENT.—The tax im-
14 posed by paragraph (1) shall be paid on or be-
15 fore the last day of the 6th month beginning
16 after the date of the enactment of this Act.

17 (3) DEFINITIONS.—For purposes of this sub-
18 section, terms used in this subsection which are also
19 used in section 4131 of such Code shall have the re-
20 spective meanings such terms have in such section.

21 (4) OTHER LAWS APPLICABLE.—All provisions
22 of law, including penalties, applicable with respect to
23 the taxes imposed by section 4131 of such Code
24 shall, insofar as applicable and not inconsistent with
25 the provisions of this subsection, apply to the floor

1 stocks taxes imposed by paragraph (1), to the same
2 extent as if such taxes were imposed by such section
3 4131.

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