

107TH CONGRESS  
1ST SESSION

**H. R. 2559**

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**AN ACT**

To amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

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## AN ACT

To amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DEFINITION OF AN ANNUITANT.**

2 Paragraph (2) of section 9001 of title 5, United  
3 States Code, is amended to read as follows:

4 “(2) ANNUITANT.—The term ‘annuitant’  
5 means—

6 “(A) any individual who would satisfy the  
7 requirements of paragraph (3) of section 8901  
8 if, for purposes of such paragraph, the term  
9 ‘employee’ were considered to have the meaning  
10 given to it under paragraph (1) of this sub-  
11 section; and

12 “(B) any individual who—

13 “(i) satisfies all requirements for title  
14 to an annuity under subchapter III of  
15 chapter 83, chapter 84, or any other re-  
16 tirement system for employees of the Gov-  
17 ernment (whether based on the service of  
18 such individual or otherwise), and files ap-  
19 plication therefor;

20 “(ii) is at least 18 years of age; and

21 “(iii) would not (but for this subpara-  
22 graph) otherwise satisfy the requirements  
23 of this paragraph.”.

24 **SEC. 2. PREEMPTION.**

25 Section 9005 of title 5, United States Code, is  
26 amended—

1           (1) by inserting “(a) CONTRACTUAL PROVI-  
2           SIONS.—” before “The”; and

3           (2) by adding at the end the following:

4           “(b) PREMIUMS.—

5           “(1) IN GENERAL.—No tax, fee, or other mone-  
6           tary payment may be imposed or collected, directly  
7           or indirectly, by any State, the District of Columbia,  
8           or the Commonwealth of Puerto Rico, or by any po-  
9           litical subdivision or other governmental authority  
10          thereof, on, or with respect to, any premium paid for  
11          an insurance policy under this chapter.

12          “(2) RULE OF CONSTRUCTION.—Paragraph (1)  
13          shall not be construed to exempt any company or  
14          other entity issuing a policy of insurance under this  
15          chapter from the imposition, payment, or collection  
16          of a tax, fee, or other monetary payment on the net  
17          income or profit accruing to or realized by such enti-  
18          ty from business conducted under this chapter, if  
19          that tax, fee, or payment is applicable to a broad  
20          range of business activity.”.

21 **SEC. 3. EFFECTIVE DATE.**

22          The amendments made by this Act shall take effect  
23 as if included in the enactment of section 1002 of the

- 1 Long-Term Care Security Act (Public Law 106–265; 114
- 2 Stat. 762).

Passed the House of Representatives October 30,  
2001.

Attest:

*Clerk.*