

FIRST REGULAR SESSION

HOUSE BILL NO. 1010

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAHR (Sponsor), KOENIG, SCHOELLER, LEACH,
CONWAY (14) AND LONG (Co-sponsors).

2098L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to the federal health care reform law, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be
2 known as section 1.325, to read as follows:

1.325. 1. The general assembly finds and declares that:

2 **(1) The people of the several states comprising the United States of America created**
3 **the federal government to be their agent for certain enumerated purposes, and nothing**
4 **more;**

5 **(2) The Tenth Amendment to the United States Constitution defines the total scope**
6 **of federal power as being that which has been delegated by the people of the several states**
7 **to the federal government, and all power not delegated to the federal government in the**
8 **Constitution of the United States is reserved to the states respectively, or to the people**
9 **themselves; and**

10 **(3) The assumption of power that the federal government has made by enacting the**
11 **federal Patient Protection and Affordable Care Act interferes with the right of the people**
12 **of the state of Missouri to regulate health care as they see fit, contrary to James Madison's**
13 **assurance in Federalist #45 that the "powers delegated" to the federal government are**
14 **"few and defined", while those of the state are "numerous and indefinite".**

15 **2. The general assembly declares that the federal law known as the Patient**
16 **Protection and Affordable Care Act, signed by President Barack Obama on March 23,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **2010, is not authorized by the Constitution of the United States and violates the true**
18 **meaning and intent given by the Founders and Ratifiers, and is hereby declared to be**
19 **invalid in this state, shall not be recognized by this state, is specifically rejected by this**
20 **state, and shall be considered null and void and of no effect in this state.**

21 **3. It shall be the duty of the general assembly to adopt and enact any and all**
22 **measures as may be necessary to prevent the enforcement of the Patient Protection and**
23 **Affordable Care Act within the limits of this state.**

24 **4. Any official, agent, or employee of the United States government or any employee**
25 **of a corporation providing services to the United States government that enforces or**
26 **attempts to enforce an act, order, law, statute, rule, or regulation of the government of the**
27 **United States in violation of this section is guilty of a class D felony.**

28 **5. Any public officer or employee of this state that enforces or attempts to enforce**
29 **an act, order, law, statute, rule, or regulation of the government of the United States in**
30 **violation of this section is guilty of a class A misdemeanor.**

31 **6. Any aggrieved party shall also have a private cause of action against any person**
32 **violating the provisions of subsection 4 or 5 of this section.**