

HOUSE JOINT RESOLUTION NO. 72

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAHR (Sponsor), DAVIS, LEACH, KOENIG, HOUGHTON, SHUMAKE, CURTMAN, BURLISON, JONES (89), LASATER, WYATT, FRANKLIN, SOMMER, GUERNSEY, LICHTENEGGER, PARKINSON, LONG, SCHIEBER, BRATTIN, SMITH (150), ROWLAND, MARSHALL, JONES (117), McGHEE, FISHER, FREDERICK, TILLEY, COX, WIELAND, REDMON, REIBOLDT, DUGGER, SCHATZ, RIDDLE, FRANZ, FITZWATER, COOKSON, KEENEY, CAUTHORN, FUNDERBURK, ZERR, CIERPIOT, SCHARNHORST AND SOLON (Co-sponsors).

5301L.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to health care freedom.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2012, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding one new section, to be known as section 35, to read as follows:

Section 35. 1. That the liberty inherent in each citizen includes autonomy in decisions regarding lawful health care-related services or products and the manner in which contracting parties may agree for payment to be made for such services or products. No government official or agency shall have any authority either to compel any person, employer, or health care provider to participate in any health care system, or to impose any sort of direct or indirect penalty, tax, fee, or levy for choosing not to participate in such a system; nor shall any government official or agency make a citizen's right to offer or accept

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.

8 **direct payment for lawful health care services subject to any form of direct or indirect**
9 **penalty, tax, fee, or levy.**

10 **2. This section shall not prevent this state's courts from enforcing contracts, nor**
11 **prevent the general assembly from establishing statutes which prohibit certain dangerous**
12 **health care services, impose reasonably uniform regulation of the health insurance**
13 **industry in this state, or impose or collect uniformly imposed taxes for the purpose of**
14 **funding public health care programs, provided all such statutes are otherwise consistent**
15 **with all other constitutional provisions.**

Section B. Pursuant to Chapter 116, RSMo, and other applicable constitutional
2 provisions and laws of this state allowing the general assembly to adopt ballot language for the
3 submission of a joint resolution to the voters of this state, the official ballot title of the
4 amendment proposed in section A shall be as follows:

5 "Shall the Missouri Constitution be amended to secure citizens' liberty to decide for
6 themselves how they shall obtain, provide, and pay for lawful health care services and products,
7 subject only to certain reasonable and uniform governmental regulation?"

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