

HB 1534 -- FEDERAL HEALTH CARE REFORM LAW

SPONSOR: Bahr

COMMITTEE ACTION: Voted "do pass" by the Committee on General Laws by a vote of 5 to 4.

This bill declares that the General Assembly finds the federal Patient Protection and Affordable Care Act signed by President Obama exceeds the powers granted to Congress under the United States Constitution. Therefore, it is not law and is altogether void and of no force. It is the General Assembly's duty to enact any measure necessary to prevent its enforcement within this state.

No public officer or employee of this state has any authority to enforce or attempt to enforce any aspect of the act. Any United States official, agent, or employee who undertakes any action within this state that enforces or attempts to enforce the act in violation of these provisions will be guilty of a class A misdemeanor. Any person who has been subject to any action attempting to enforce the act within this state will have a private cause of action for declaratory judgment and damages against any person violating these provisions.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of Unknown to a cost of Unknown in FY 2013, FY 2014, and FY 2015. No impact on Other State Funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill declares the federal health care reform law as unconstitutional and Missouri has the right to protect its citizens from such a law. The federal law is not supreme because it is unconstitutional. Citizens should not be required to accept health care that includes provisions that they are morally or religiously opposed to and should allow a person to opt out of certain services and providers.

Testifying for the bill were Representative Bahr; James Coyne, Mid-Missouri Patriots; Ron Calzone, Missouri First; and Missouri Right to Life.

OPPOSERS: Those who oppose the bill say that access to affordable health care is vital to people living with certain diseases, such as AIDS and HIV, because it protects their lives and prevents transmission. The health care provided for in the federal law gives these individuals access to this lifesaving treatment.

Testifying against the bill was Gretchen Waddell, Missouri AIDS

Task Force.

OTHERS: Others testifying on the bill say that when the United States Constitution was ratified several states demanded that certain rights be protected, such as a state's ability to reject certain federal actions.

Testifying on the bill was Dave Rowland, Freedom Center of Missouri.