

1 SB233
2 114587-1
3 By Senators Beason, Glover, Erwin, Smith, Sanford, Brooks,
4 Holley and Pittman (Constitutional Amendment)
5 RFD: Health
6 First Read: 14-JAN-10

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to prohibit any
10 person, employer, or health care provider from
11 being compelled to participate in any health care
12 system.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT

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18 To propose an amendment to the Constitution of
19 Alabama of 1901, to prohibit mandatory participation in any
20 health care system.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. The following amendment to the
23 Constitution of Alabama of 1901, as amended, is proposed and
24 shall become valid as a part thereof when approved by a
25 majority of the qualified electors voting thereon and in
26 accordance with Sections 284, 285, and 287 of the Constitution
27 of Alabama of 1901, as amended:

1 PROPOSED AMENDMENT

2 (a) In order to preserve the freedom of all
3 residents of Alabama to provide for their own health care, a
4 law or rule shall not compel, directly or indirectly, any
5 person, employer, or health care provider to participate in
6 any health care system.

7 (b) A person or employer may pay directly for health
8 care services and shall not be required to pay penalties or
9 fines for paying directly for lawful health care services. A
10 health care provider may accept direct payment for lawful
11 health care services and shall not be required to pay
12 penalties or fines for accepting direct payment from a person
13 or employer for lawful health care services.

14 (c) The purchase or sale of health insurance in
15 private health care systems shall not be prohibited by law or
16 rule.

17 Section 2. An election upon the proposed amendment
18 shall be held in accordance with Sections 284 and 285 of the
19 Constitution of Alabama of 1901, now appearing as Sections 284
20 and 285 of the Official Recompilation of the Constitution of
21 Alabama of 1901, as amended, and the election laws of this
22 state.

23 Section 3. The appropriate election official shall
24 assign a ballot number for the proposed constitutional
25 amendment on the election ballot and shall set forth the
26 following description of the substance or subject matter of
27 the proposed constitutional amendment:

1 "Proposing an amendment to the Constitution of
2 Alabama of 1901, to prohibit any person, employer, or health
3 care provider from being compelled to participate in any
4 health care system.

5 "Proposed by Act _____."

6 This description shall be followed by the following
7 language:

8 "Yes () No ()."