

**SENATE CONCURRENT
RESOLUTION No. 81**

**STATE OF NEW JERSEY
214th LEGISLATURE**

INTRODUCED FEBRUARY 22, 2010

Sponsored by:

**Senator MICHAEL J. DOHERTY
District 23 (Warren and Hunterdon)**

Co-Sponsored by:

Senators Pennacchio, A.R.Bucco, Singer, Oroho, Haines and Addiego

SYNOPSIS

Proposes amendment to Constitution to prohibit State or federal law or regulation from compelling a person to obtain, provide, or participate in health care coverage.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/26/2011)

SCR81 DOHERTY

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1 A **CONCURRENT RESOLUTION** proposing to amend Article I of the
2 Constitution of the State of New Jersey by adding a new
3 paragraph 23.

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5 **BE IT RESOLVED** by the Senate of the State of New Jersey (the
6 General Assembly concurring):

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8 1. The following proposed amendment to the Constitution of
9 the State of New Jersey is agreed to:

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PROPOSED AMENDMENT

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13 Amend Article I by adding a new paragraph 23 to read as
14 follows:

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16 23. To preserve the freedom of the people of New Jersey to
17 provide for their health care, no State or federal law or regulation
18 shall compel, directly or indirectly, any person to obtain health care
19 coverage, any employer to provide health care coverage to its
20 employees, or any health care provider to participate in any health
21 care coverage plan or program.

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22 2. When this proposed amendment to the Constitution is finally
23 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
24 shall be submitted to the people at the next general election
25 occurring more than three months after the final agreement and
26 shall be published at least once in at least one newspaper of each
27 county designated by the President of the Senate, the Speaker of the
28 General Assembly and the Secretary of State, not less than three
29 months prior to the general election.

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31 3. This proposed amendment to the Constitution shall be
32 submitted to the people at that election in the following manner and
33 form:

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35 There shall be printed on each official ballot to be used at the
36 general election, the following:

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37 a. In every municipality in which voting machines are not used,
38 a legend which shall immediately precede the question as follows:

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39 If you favor the proposition printed below make a cross (X), plus
40 (+), or check (✓) in the square opposite the word "Yes." If you are
41 opposed thereto make a cross (X), plus (+) or check (✓) in the
42 square opposite the word "No."

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b. In every municipality the following question:

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	<p>YES</p>	<p style="text-align: center;">HEALTH CARE FREEDOM AMENDMENT</p> <p>Shall the proposed amendment of Article I of the State Constitution, agreed to by the Legislature, providing that, in order to preserve the freedom of the people of New Jersey to provide for their health care, no State or federal law or regulation shall compel, directly or indirectly, any person to obtain health care coverage, any employer to provide health care coverage to its employees, or any health care provider to participate in any health care coverage plan or program, be approved?</p>
	<p>NO</p>	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This proposed amendment of the State Constitution would prohibit any State or federal law or regulation from requiring: (1) any person to obtain health insurance or other health benefits coverage; (2) any employer to provide such coverage to its employees; or (3) any health care provider (such as a hospital or physician) to participate in any private or public plan or program that provides health insurance or other health benefits coverage.</p>

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STATEMENT

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This proposed “Health Care Freedom Amendment” would amend Article I of the State Constitution by adding a new paragraph 23 in order to preserve the freedom of the people of New Jersey to provide for their health care.

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The proposed amendment provides that “no State or federal law or regulation shall compel, directly or indirectly, any person to obtain health care coverage, any employer to provide health care coverage to its employees, or any health care provider to participate in any health care coverage plan or program.”

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