

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1276

By: Ritze

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7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; making
9 legislative findings; making certain declarations;
10 providing duty of Legislature to enact measure to
11 prevent enforcement of certain federal act; providing
12 for codification; and declaring an emergency.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1-124 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 The Legislature finds that:

19 1. The people of the several states comprising the United
20 States of America created the federal government to be their agent
21 for certain enumerated purposes as set forth in the United States
22 Constitution, and nothing more;

23 2. The Tenth Amendment to the United States Constitution
24 defines the total scope of federal powers as being those which have

1 | been delegated by the people of the several states to the federal
2 | government, and all powers not delegated to the federal government
3 | in the Constitution of the United States are reserved to the states
4 | respectively, or to the people themselves. Furthermore, as stated
5 | in the Ninth Amendment, "The enumeration in the Constitution, of
6 | certain rights, shall not be construed to deny or disparage others
7 | retained by the people"; and

8 | 3. The assumption of power that the federal government has made
9 | by enacting the "Patient Protection and Affordable Care Act" (Public
10 | Law 111-148, March 23, 2010) and "Health Care and Education
11 | Reconciliation Act of 2010" (Public Law 111-152, March 30, 2010) is
12 | nowhere expressly granted by the United States Constitution and
13 | interferes with the right of the people of the State of Oklahoma to
14 | regulate health care as they see fit.

15 | SECTION 2. NEW LAW A new section of law to be codified
16 | in the Oklahoma Statutes as Section 1-125 of Title 63, unless there
17 | is created a duplication in numbering, reads as follows:

18 | A. The Legislature of the State of Oklahoma declares that the
19 | federal laws known as the "Patient Protection and Affordable Care
20 | Act" (Public Law 111-148) and the "Health Care and Education
21 | Reconciliation Act of 2010" (Public Law 111-152), signed by
22 | President Barack Obama on March 23 and 30, 2010, are not authorized
23 | by the Constitution of the United States and violate its true
24 | meaning and intent as given by the founders and ratifiers, and are

1 hereby declared to be invalid in the State of Oklahoma, shall not be
2 recognized by this state, are specifically rejected by this state,
3 and shall be considered null and void and of no effect in this
4 state.

5 B. It shall be the duty of the Legislature of this state to
6 adopt and enact any and all measures as may be necessary to prevent
7 the enforcement of the "Patient Protection and Affordable Care Act"
8 and the "Health Care and Education Reconciliation Act of 2010"
9 within the limits of this state.

10 SECTION 3. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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