

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1021

By: Ritze, Reynolds, Murphey  
and Bennett

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8                                   COMMITTEE SUBSTITUTE

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

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

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

19                   The Legislature finds that:

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

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

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

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

20           A. The Legislature of the State of Oklahoma declares that the  
21 federal laws known as the "Patient Protection and Affordable Care  
22 Act" (Public Law 111-148) and the "Health Care and Education  
23 Reconciliation Act of 2010" (Public Law 111-152), signed by  
24

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 President Barack Obama on March 23 and 30, 2010, are not authorized  
2 by the Constitution of the United States and violate its true  
3 meaning and intent as given by the founders and ratifiers, and are  
4 hereby declared to be invalid in the State of Oklahoma, shall not be  
5 recognized by this state, are specifically rejected by this state,  
6 and shall be considered null and void and of no effect in this  
7 state.

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

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

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18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/25/2013 -  
19 DO PASS, As Amended and Coauthored.  
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