

1 SB215  
2 125454-2  
3 By Senators Beason, Marsh, Dial, Holtzclaw, Taylor, Smith,  
4 Glover and Sanford (Constitutional Amendment)  
5 RFD: Health  
6 First Read: 10-MAR-11

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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.

13  
14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
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 on the date of the first primary election on  
19 June 5, 2012, and shall be held in accordance with Sections  
20 284 and 285 of the Constitution of Alabama of 1901, now  
21 appearing as Sections 284 and 285 of the Official  
22 Recompilation of the Constitution of Alabama of 1901, as  
23 amended, and the election laws of this state.

24 Section 3. The appropriate election official shall  
25 assign a ballot number for the proposed constitutional  
26 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of  
2 the proposed constitutional amendment:

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

7 "Proposed by Act \_\_\_\_\_."

8 This description shall be followed by the following  
9 language:

10 "Yes ( ) No ( )."