

SENATE BILL NO. 418

INTRODUCED BY A. WITTICH

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE STATE OR FEDERAL GOVERNMENT FROM MANDATING THE PURCHASE OF HEALTH INSURANCE COVERAGE OR IMPOSING PENALTIES FOR DECISIONS RELATED TO THE PURCHASE OF HEALTH INSURANCE COVERAGE; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 and 2] may be cited as the "Montana Health Care Freedom Act".

NEW SECTION. **Section 2. Health insurance purchase mandate prohibited -- exceptions.** (1) The state or federal government may not:

(a) mandate or require a person or entity to purchase health insurance coverage as defined in 33-22-140;

or

(b) impose a penalty, tax, fee, or fine of any type if a person or entity declines to purchase health insurance coverage.

(2) This section does not apply to a requirement to purchase health insurance coverage that is imposed by:

(a) a court when an individual or entity is a named party in a judicial dispute; or

(b) the department of public health and human services as part of a child support enforcement action.

NEW SECTION. **Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 50, chapter 4, and the provisions of Title 50, chapter 4, apply to [sections 1 and 2].

NEW SECTION. **Section 4. Effective date.** If approved by the electorate, [this act] is effective January 1, 2013.



