

SENATE BILL NO. 418

INTRODUCED BY A. WITTICH

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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;

OR

(C) THE MONTANA UNIVERSITY SYSTEM AS A REQUIREMENT FOR STUDENTS.

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].



1 NEW SECTION. Section 4. Effective date. If approved by the electorate, [this act] is effective January
2 1, 2013.

3
4 NEW SECTION. Section 5. Submission to electorate. [This act] shall be submitted to the qualified
5 electors of Montana at the general election to be held in November 2012 by printing on the ballot the full title of
6 [this act] and the following:

7 FOR prohibiting the state or federal government from mandating the purchase of health
8 insurance or imposing penalties for decisions related to purchasing health insurance.

9 AGAINST prohibiting the state or federal government from mandating the purchase of health
10 insurance or imposing penalties for decisions related to purchasing health insurance.

11

- END -