

HR 1561

2010

## 1 House Resolution

2 A resolution urging the Attorney General of the State of  
3 Florida to file suit challenging the constitutionality of  
4 any individual health care mandate passed into law by the  
5 Federal Government.

6  
7 WHEREAS, the United States Constitution establishes a  
8 limited federal government, as expressed in the Bill of Rights,  
9 that protects the freedom of individuals and the rights of  
10 states, and

11 WHEREAS, the United States Congress is currently debating  
12 the issue of health care reform and legislation such as the  
13 Patient Protection and Affordable Care Act (Senate H.R. 3590)  
14 and the Affordable Health Care for America Act (House H.R.  
15 3962), and

16 WHEREAS, the United States Congress is urged to enact  
17 legislation that respects and recognizes the rights of  
18 individuals, families, groups, and communities to make decisions  
19 about their health care insurance and treatment options, and

20 WHEREAS, the "individual mandate" provision included in  
21 Senate H.R. 3590, House H.R. 3962, and President Barack Obama's  
22 health care plan requires all individuals to purchase health  
23 insurance products and services, and

24 WHEREAS, such individual mandates are contrary to the  
25 rights of a free and prosperous people and deny individuals the  
26 right to make one of the most basic health care decisions for  
27 themselves and their loved ones, and

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28 WHEREAS, the United States Supreme Court has recognized  
29 each individual's freedom to refuse health care treatment, and

30 WHEREAS, on January 19, 2010, Attorney General Bill  
31 McCollum sent to Congressional leaders an analysis in which he  
32 outlined the unconstitutionality of the individual healthcare  
33 mandates, and

34 WHEREAS, according to his analysis, the United States  
35 Congress does not possess the constitutional authority to compel  
36 individuals under threat of government fines or taxes to  
37 purchase an unwanted product or service simply as a condition of  
38 living in this country, and

39 WHEREAS, if the individual mandate provision becomes law,  
40 the Attorney General has stated that he will be compelled to  
41 challenge the constitutionality of that provision, and other  
42 states may also join in the challenge, NOW, THEREFORE,

43

44 Be It Resolved by the House of Representatives of the State of  
45 Florida:

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47 That the Attorney General of the State of Florida is urged  
48 to file suit challenging the constitutionality of any individual  
49 health care mandate passed into law by the Federal Government.

50 BE IT FURTHER RESOLVED that a copy of this resolution be  
51 presented to the President of the United States, the President  
52 of the United States Senate, the Speaker of the United States  
53 House of Representatives, and each member of the Florida  
54 Delegation to the United States Congress.