

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2309

Introduced by

Senators Sitte, Berry, Dever

Representatives Kasper, Keiser, Ruby

1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota
2 Century Code, relating to ~~nullification of~~ federal health care reform legislation; ~~and to provide a~~
3 ~~penalty.~~

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-03 of the North Dakota Century Code is created
6 and enacted as follows:

7 ~~**Nullification of federal**~~**Federal health care reform law.**

- 8 1. The legislative assembly declares that the federal laws known as the Patient
9 Protection and Affordable Care Act [Pub. L. 111-148] and the Health Care and
10 Education Reconciliation Act of 2010 [Pub. L. 111-152] are not authorized by the
11 United States Constitution and violate its true meaning and intent as given by the
12 founders and ratifiers. ~~and are declared to be invalid in this state, may not be~~
13 ~~recognized by this state, are specifically rejected by this state, and are considered to~~
14 ~~be null in this state.~~
- 15 2. The legislative assembly shall ~~consider~~ **enact** ~~enacting~~ any measure necessary to
16 prevent the enforcement of the Patient Protection and Affordable Care Act and the
17 Health Care and Education Reconciliation Act of 2010 within this state.
- 18 ~~3. Any official, agent, or employee of the United States government or any employee of a~~
19 ~~corporation providing services to the United States government who enforces or~~
20 ~~attempts to enforce an act, order, law, statute, rule, or regulation of the government of~~
21 ~~the United States in violation of this Act is guilty of a class C felony.~~
- 22 ~~4. Any public officer or employee of this state who enforces or attempts to enforce an act,~~
23 ~~order, law, statute, rule, or regulation of the government of the United States in~~
24 ~~violation of this Act is guilty of a class A misdemeanor.~~

- 1 ~~5.—An aggrieved party also shall have a private action against any person violating~~
2 ~~subsection 3 or 4.~~