

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 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 enact any measure necessary to prevent the
16 enforcement of the Patient Protection and Affordable Care Act and the Health Care
17 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.