

REFERENCE TITLE: sovereign authority; affordable care act

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HB 2643

Introduced by
Representatives Olson, Leach

AN ACT

AMENDING TITLE 1, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4;
RELATING TO SOVEREIGN AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 1, chapter 2, Arizona Revised Statutes, is amended by
3 adding article 4, to read:
4 ARTICLE 4. SOVEREIGN AUTHORITY
5 1-271. Sovereign authority; affordable care act; definition
6 A. PURSUANT TO THE SOVEREIGN AUTHORITY OF THIS STATE AND ARTICLE II,
7 SECTION 3, CONSTITUTION OF ARIZONA, THIS STATE AND ALL POLITICAL SUBDIVISIONS
8 OF THIS STATE ARE PROHIBITED FROM USING ANY PERSONNEL OR FINANCIAL RESOURCES
9 TO ENFORCE, ADMINISTER OR COOPERATE WITH THE AFFORDABLE CARE ACT BY:
10 1. FUNDING OR IMPLEMENTING A STATE-BASED HEALTH CARE EXCHANGE OR
11 MARKETPLACE.
12 2. FUNDING OR AIDING IN THE PROSECUTION OF ANY ENTITY FOR A VIOLATION
13 OF THE ACT.
14 3. FUNDING OR ADMINISTERING ANY PROGRAM OR PROVISION OF THE ACT AFTER
15 THE EFFECTIVE DATE OF THIS SECTION THAT WILL RESULT IN ANY OF THE FOLLOWING:
16 (a) REDUCING THE AVAILABLE INSURANCE OR PROVIDER CHOICES.
17 (b) INCREASING BURDENS ON INSURANCE PROVIDERS OR CARRIERS.
18 (c) LIMITING THE AVAILABILITY OF SELF-FUNDED HEALTH INSURANCE PROGRAMS
19 OR THE REINSURANCE OR OTHER PRODUCTS TRADITIONALLY USED WITH SELF-FUNDED
20 HEALTH INSURANCE PROGRAMS.
21 B. FOR THE PURPOSES OF THIS SECTION, "ACT" OR "AFFORDABLE CARE ACT"
22 MEANS THE PATIENT PROTECTION AND AFFORDABLE CARE ACT (P.L. 111-148) AS
23 AMENDED BY THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010 (P.L.
24 111-152) AND ANY RULES ADOPTED PURSUANT TO THOSE ACTS.