

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0500.01 Kristen Forrestal x4217

SENATE BILL 12-053

SENATE SPONSORSHIP

Neville,

HOUSE SPONSORSHIP

Looper,

Senate Committees
Health and Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE "COLORADO HEALTH BENEFIT
102 EXCHANGE ACT" IF ANY PART OF THE "PATIENT PROTECTION
103 AND AFFORDABLE CARE ACT" AS AMENDED BY THE "HEALTH
104 CARE AND EDUCATION RECONCILIATION ACT OF 2010" IS
105 RULED UNCONSTITUTIONAL.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill repeals the "Colorado Health Benefit Exchange Act" if the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

"Patient Protection and Affordable Care Act" as amended by the "Health Care and Education Reconciliation Act of 2010" (federal act) is repealed or the United States supreme court rules that all or any part of the federal act is unconstitutional.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 10-22-109 as
3 follows:

4 **10-22-109. Repeal of article.** IF THE FEDERAL ACT IS REPEALED
5 OR THE UNITED STATES SUPREME COURT RULES THAT ALL OR ANY PART
6 OF THE FEDERAL ACT IS UNCONSTITUTIONAL, INCLUDING THE
7 ESTABLISHMENT OF THE HEALTH BENEFIT EXCHANGES AND THE
8 INDIVIDUAL MANDATE TO PURCHASE HEALTH INSURANCE, THE GOVERNOR,
9 AFTER CONSULTATION WITH THE ATTORNEY GENERAL, SHALL REPORT THIS
10 FACT IN WRITING TO THE REVISOR OF STATUTES. UPON RECEIPT BY THE
11 REVISOR OF STATUTES OF THE WRITTEN REPORT, THIS ARTICLE IS
12 REPEALED.

13 **SECTION 2. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety.