**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1366**

**STATUS INFORMATION**

Concurrent Resolution

Sponsors: Senators Campbell, Cleary, Knotts, Cromer, Grooms, Bryant and Verdin

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Introduced in the Senate on April 15, 2010

Currently residing in the Senate Committee on **Judiciary**

Summary: Constitutional convention

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/15/2010 Senate Introduced [SJ](file:///h:\SJ%20Archive\2010\04-15-10.docx)‑4

4/15/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\04-15-10.docx)‑4

4/28/2010 Senate Referred to Subcommittee: L.Martin (ch), Rankin, Hutto, Bright, Davis

**VERSIONS OF THIS BILL**

[4/15/2010](file:///p:\pprever\2009-10\1366_20100415.docx)

**A** **CONCURRENT RESOLUTION**

CALLING FOR A CONSTITUTIONAL CONVENTION FOR THE SOLE AND EXCLUSIVE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PRESERVE THE RIGHTS OF EACH OF THE SOVEREIGN STATES TO PREEMPT ANY FEDERAL LAW OR RULE THAT RESTRICTS A PERSON’S CHOICE OF PRIVATE HEALTH CARE PROVIDERS OR THE RIGHT TO PAY FOR MEDICAL SERVICES.

Whereas, the federal Patient Protection and Affordable Healthcare Act is flawed in a number of troubling ways; and

Whereas, its flaws include an unconstitutional individual mandate; and

Whereas, the citizens of the sovereign states have the right to choose whether to enter into private contracts with health care providers for health care services and to purchase private health care coverage; and

Whereas, by placing an inflexible ceiling on what insurers may spend on medical costs and how much they can charge on premiums, the act opens the door to the complete elimination of a person’s ability to choose a private health plan; and

Whereas, under Article V of the Constitution of the United States, amendments to the federal constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or upon the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the General Assembly of South Carolina requests that the Congress of the United States call a constitutional convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to preserve the rights of each of the sovereign states to preempt any federal law that restricts a person’s choice of private health care or the right to pay for medical services.

Be it further resolved that a copy of this resolution be forwarded to the President and Vice-President of the United States, to the Speaker of the House of Representatives, to each member of the South Carolina Congressional Delegation, to the Clerk of the United States House of Representatives, and to the Secretary of the United States Senate.

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