COMMITTEE REPORT

January 17, 2013

**H. 3096**

Introduced by Reps. Clemmons, G.R. Smith, Wells, Henderson, Long, D.C. Moss, Chumley, Loftis and Taylor

S. Printed 1/17/13--H.

Read the first time January 8, 2013.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 3096) to amend the Code of Laws of South Carolina, 1976, so as to enact the “State Health Care Freedom Act” by adding Section 38-71-285 so as to not elect, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1 beginning on line 28, by deleting Section 38-71-285 and inserting:

/ “Section 38-71-285. (A) The State must not elect to establish or operate an American health Benefit Exchange as provided for in the federal ‘Patient Protection and Affordable Care Act’ of 2010 or federal regulations promulgated pursuant to that act.

(B) The State must not establish a governmental agency or nonprofit entity to operate an American Health Benefit Exchange as provided for in the federal ‘Patient Protection and Affordable Care Act’ of 2010 or federal regulations promulgated pursuant to that act.

(C) The state must not participate in a regional exchange as provided for in the federal ‘Patient Protection and Affordable Care Act’ of 2010 or federal regulations promulgated pursuant to that act.” /

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “STATE HEALTH CARE FREEDOM ACT” BY ADDING SECTION 38‑71‑285 SO AS TO NOT ELECT TO ESTABLISH OR OPERATE AN AMERICAN HEALTH BENEFIT EXCHANGE AS PROVIDED FOR IN THE FEDERAL “PATIENT PROTECTION AND AFFORDABLE CARE ACT” OF 2010.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act shall be known as the ‘State Health Care Freedom Act’.

SECTION 2. Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑285. The State shall not elect to establish or operate an American Health Benefit Exchange as provided for in the federal ‘Patient Protection and Affordable Care Act’ of 2010.”

SECTION 3. This act takes effect upon signature of the Governor.

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