



**DONNA CAMPBELL, M.D.**

TEXAS STATE SENATOR  
DISTRICT 25

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News Release

FOR MORE INFORMATION

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## **Campbell Files Constitutional Amendment to Push Back on Federal Mandate**

***SJR 5 would prohibit Texas State Agencies and Elected Officials from penalizing Texans for not purchasing insurance***

January 14, Austin, TX – Fulfilling a campaign promise to “create a firewall against the unconstitutional encroachment of the federal government against our great State,” Senator Donna Campbell filed a constitutional amendment to stop the federal government from using state elected officials or agencies from enforcing penalties relating to the individual mandate of the Affordable Care Act, otherwise known as Obamacare. “Keeping Texas strong means standing up against the bad policies of Washington D.C. Washington may think these type of penalties are acceptable, but Texans do not,” Senator Campbell stated.

SJR 5 would prohibit any State agency or elected official from penalizing or discouraging the right of a Texan to not purchase health insurance. If passed by two-thirds of both chambers of the legislature and approved by voters in November, the legislation would create a right in the Texas Constitution to purchase or to decline to purchase health insurance without penalty or sanction or threat of penalty or sanction.

“I am very concerned about the federal government's rapid expansion and attempts to impose its will on the states,” Lieutenant Governor David Dewhurst added. “Here in Texas, we will never concede our freedom to Washington. We believe that government exists to empower people, not rule over them. Texas will continue to fight for the repeal of Obamacare, an unconstitutional and unfunded federal mandate that forces individuals to buy health insurance, and any other unconstitutional requirements for individuals to purchase insurance.”

While Senator Campbell recognized the bill would not preempt or nullify the Affordable Care Act, it would control for Texas agencies and their employees. “We should have the backs of Texas families; not be bullying our citizens on the behalf of federal bureaucrats,” Senator Campbell stated. “This bill will prevent Texas agencies from being used in such an unsavory manner. It will also prevent future State legislation which may attempt to piggyback onto the federal penalties.”

For example, the constitutional amendment would prohibit the Office of the Attorney General from being used to garnish wages by the federal government to extract the penalties in the federal legislation. The bill would not affect those who choose to purchase health insurance nor would it affect the enforcement of a court order or administrative order for medical support of a child.

Findings from a study published this summer by *Health Care Management Review* reported that mandatory individual insurance coverage in Massachusetts led to a significant near-term drop in hospital productivity, making an increase in overall health care costs more likely.

Senator Campbell represents Senate District 25 which includes all or part of Bexar, Comal, Guadalupe, Hays, Kendall and Travis counties. She is a practicing emergency room physician who lives with her husband and the youngest of their four daughters.

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