

Petition Number: _____

County: _____

Issued to: _____

INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

To be submitted directly to the electors

Amendment

Title: To preserve the freedom of Ohioans to choose their health care and health care coverage

SUMMARY

To add Section 21 to Article I of the Constitution of the State of Ohio

The proposed amendment would provide that:

1. In Ohio, no law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.
2. In Ohio, no law or rule shall prohibit the purchase or sale of health care or health insurance.
3. In Ohio, no law or rule shall impose a penalty or fine for the sale or purchase of health care or health insurance.

The proposed law would not

1. Affect laws or rules in effect as of March 19, 2010.
2. Affect which services a health care provider or hospital is required to perform or provide.
3. Affect terms and conditions of government employment.
4. Affect any laws calculated to deter fraud or punish wrongdoing in the health care industry.

CERTIFICATION OF THE ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed initiated constitutional amendment to Article I of the Ohio Constitution.

RICHARD CORDRAY
Ohio Attorney General
April 1, 2010

COMMITTEE TO REPRESENT THE PETITIONERS

The following people are designated as the committee to represent the petitioners in all matters relating to the petition or its circulation:

Christopher Littleton
7396 Wethersfield Dr.
West Chester, Ohio 45069

Joseph Bozzi
7633 Park Bend Dr.
Westerville, Ohio 43082

Jason Mihalick
3620 Grove Church Rd.
Gambier, Ohio 43022

Alan Witten
1339 Lincoln Rd.
Columbus, Ohio 43212

Steven Carr
305 Heil Dr.
Gahanna, Ohio 43230

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

(Sign with ink. Your name, residence, and date of signing must be given.)

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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

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FULL TEXT OF AMENDMENT

Be it resolved by the people of the State of Ohio that Article I, Section 21 of the Ohio Constitution be adopted and read as follows:

ARTICLE I

Preservation of the freedom to choose health care and health care coverage

Section 21 (A) No federal, state, or local law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

Section 21 (B) No federal, state, or local law or rule shall prohibit the purchase or sale of health care or health insurance.

Section 21 (C) No federal, state, or local law or rule shall impose a penalty or fine for the sale or purchase of health care or health insurance.

Section 21 (D) This section does not affect laws or rules in effect as of March 19, 2010; affect which services a health care provider or hospital is required to perform or provide; affect terms and conditions of government employment; or affect any laws calculated to deter fraud or punish wrongdoing in the health care industry.

Section 21 (E) As used in this Section,

- (1) “Compel” includes the levying of penalties or fines.
- (2) “Health care system” means any public or private entity or program whose function or purpose includes the management of, processing of, enrollment of individuals for, or payment for, in full or in part, health care services, health care data, or health care information for its participants.
- (3) “Penalty or fine” means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee established by law or rule by a government established, created, or controlled agency that is used to punish or discourage the exercise of rights protected under this section.

STATEMENT OF CIRCULATOR

I, _____, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of _____ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by _____
_____(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code *if the circulator is being employed to circulate the petition.*)

I further declare under penalty of election falsification in accordance with section 3501.38 of the Revised Code that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signed) _____

(Address of circulator's permanent residence in this state) _____

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.