

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 23

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR RIDGEWAY.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3198S.021

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 2 of article XIII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to political subdivisions participating in a public health insurance option sponsored by the federal government.

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

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2010, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article XIII of the Constitution of the state of Missouri:

Section A. Section 2, article XIII, Constitution of Missouri, is repealed and  
2 one new section adopted in lieu thereof, to be known as section 2, to read as  
3 follows:

Section 2. 1. Other provisions of this constitution to the contrary  
2 notwithstanding, the general assembly may authorize any county, city or other  
3 political corporation or subdivision to provide or contract for health insurance  
4 benefits, including but not limited to hospital, chiropractic, surgical, medical,  
5 optical, and dental benefits, for officers and employees and their dependents.

6 **2. If a county, city, political corporation, or political subdivision**  
7 **within this state provides health insurance coverage to its directors,**  
8 **officers, retirees, employees, or their dependents by participating in a**  
9 **public health insurance option or by contracting for health insurance**  
10 **coverage through a public health insurance option, such political**  
11 **subdivision shall be ineligible to receive any state funds, including any**  
12 **state funds which are otherwise constitutionally dedicated toward such**  
13 **political subdivision.**

14           3. Beginning the first calendar quarter following the adoption of  
15 this measure, and annually thereafter, each political subdivision within  
16 this state that provides health insurance to its directors, officers,  
17 employees, dependents, or retirees shall verify with the commissioner  
18 of the office of administration whether or not it provides health  
19 insurance coverage or contracts for health insurance benefits through  
20 a public health insurance option. The governing body of a political  
21 subdivision shall notify the commissioner of the office of  
22 administration within thirty days of its decision to participate in or  
23 contract for health insurance benefits through a public health  
24 insurance option. The commissioner of the office of administration  
25 shall collect and compile the information required by this subsection  
26 and such information shall be available to the public.

27           4. Any reduction in state funding due to the operation of  
28 subsection 2 of this section shall not constitute a violation of article X,  
29 section 21 of this constitution or any other provision of this  
30 constitution to the contrary.

31           5. As used in this section, the term "public health insurance  
32 option" shall mean a health benefit plan which provides health  
33 insurance coverage through a government-funded and administered  
34 health insurance company, agency or entity created by the federal  
35 government on or after October 1, 2009, which is designed to compete  
36 with health insurance coverage provided by privately owned health  
37 insurance companies.

38           6. As used in this section, the term "political subdivision" shall  
39 be construed to include townships, cities, towns, villages, school, road,  
40 drainage, sewer, and levee districts and any other public subdivision,  
41 public corporation, or public quasi-corporation having the power to  
42 tax.

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