

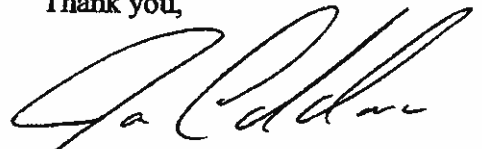
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ELECTIONS
SECRETARY OF STATE

January 15, 2010

To: Legislative Council, State of Colorado

Attached is our proposed Amendment to the Colorado State Constitution to be placed on the ballot for the 2010 general election as a citizen's initiative.

Thank you,



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JAN 15 2010



Health Care Choice

Be it Enacted by the People of the State of Colorado:

Article II of the Constitution of the State of Colorado is amended BY THE ADDITION OF A NEW SECTION TO READ:

Section 32. Right to health care choice.

(1) All persons shall have the right of health care choice. No statute, regulation, resolution or policy adopted or enforced by the State of Colorado, its departments and agencies independently or at the instance of the United States shall require any person to participate in any public or private health benefit plan or system, deny, restrict or penalize the right of any person to make or receive direct payments for lawful health benefit services, nor deny, restrict or penalize the right of any person to purchase and use health insurance products or other health benefit plans or systems legal for sale in any other state where such plans or systems are duly licensed or otherwise qualified and in good standing in the provider's home state.

(2) This section shall not apply to, affect or prohibit: (a) emergency services required by law to be provided or performed by hospitals, health facilities or other health practitioners; or (b) health benefits provided in connection with worker's compensation or other similar insurance.

(3) "Lawful health care services" means any service or treatment permitted or not prohibited by any provision of law.

(4) This section is intended to reflect and affirm the powers reserved to the state by Article X of the Constitution of the United States and to implement the powers reserved to the People by Article V of the Constitution of the State of Colorado.

(5) This section shall become effective upon proclamation by the Governor, shall be self implementing in all respects and shall supersede any provision to the contrary in the Constitution of the State of Colorado or any other provision of law.

(6) If any provision of this section or the application thereof to any person, entity or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared severable.