

By: Creighton, et al.

H.C.R. No. 72

CONCURRENT RESOLUTION

1 WHEREAS, The Tenth Amendment to the Constitution of the
2 United States reads, "The powers not delegated to the United States
3 by the Constitution, nor prohibited by it to the States, are
4 reserved to the States respectively, or to the people"; and

5 WHEREAS, The Founding Fathers created the federal government
6 as an agent of the states, not to supplant states' rights; and

7 WHEREAS, The Texas Constitution affirms the notion, in
8 Section 1, Article I, that "Texas is a free and independent State,
9 subject only to the Constitution of the United States, and the
10 maintenance of our free institutions and the perpetuity of the
11 Union depend upon the preservation of the right of local
12 self-government, unimpaired to all the States"; and

13 WHEREAS, The health insurance tax is a usurpation of state
14 sovereignty and abuse of federal power; and

15 WHEREAS, The health insurance tax disparages the autonomy of
16 the states, in violation of the Tenth Amendment; and

17 WHEREAS, The health insurance tax will cost the State of
18 Texas additional billions of dollars in government expenses; and

19 WHEREAS, The National Federation of Independent Businesses
20 reported the tax will result in 6,000 fewer private sector jobs and
21 billions of dollars of lost sales in the State of Texas; and

22 WHEREAS, The Congressional Joint Committee on Taxation noted
23 that "taxes may be borne by: consumers in the form of higher prices;
24 owners of firms in the form of lower profits; employees of firms in

1 the form of lower wages; or other suppliers to firms in the form of
2 lower payments"; and

3 WHEREAS, The health insurance tax will disproportionately
4 burden the small businesses of Texas with increased premiums; and

5 WHEREAS, The Congressional Budget Office noted, "fees would
6 largely be passed through to consumers in the form of higher
7 premiums for private coverage"; and

8 WHEREAS, The men and women of Texas will ultimately bear the
9 costs of the health insurance tax, putting health care out of reach
10 for many; and

11 WHEREAS, The health insurance tax will stifle job creation,
12 increase health care costs, and burden the economy of Texas; now,
13 therefore, be it

14 RESOLVED, That the 83rd Legislature of the State of Texas
15 hereby reaffirm the pride of all Texans in our nation and our state;
16 and, be it further

17 RESOLVED, That the 83rd Legislature reject unlimited
18 submission to the current administration and Congress, reaffirm the
19 sovereignty of our state, as granted by the Tenth Amendment to the
20 Constitution of the United States, and oppose the health insurance
21 tax.