

By: Patrick

S.C.R. No. 23

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.