

## SENATE JOINT RESOLUTION NO. SJ0007

Right of health care access-separation of powers.

Sponsored by: Senator(s) Salazar, Biteman, Boner, French, Hicks, Hutchings, Ide, Laursen, D, McKeown and Olsen and Representative(s) Allemand, Bear, Heiner, Hoeft, Lien, Lucas, McCann, Neiman, Riggins, Rodriguez-Williams and Wharff

## A JOINT RESOLUTION

for

1 A JOINT RESOLUTION proposing to amend the Wyoming  
 2 Constitution to specify that the Wyoming legislature may, by  
 3 law, define "health care" for purposes of the right of health  
 4 care access and to clarify when and how the legislature may  
 5 impose restrictions on the right of health care access.

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7 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*  
 8 two-thirds of all the members of the two houses, voting  
 9 separately, concurring therein:

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11 **Section 1.** The following proposal to amend Article 1,  
 12 Section 38(c) of the Wyoming Constitution is proposed for  
 13 submission to the electors of the State of Wyoming at the  
 14 next general election for approval or rejection to become

1 valid as a part of the Constitution if ratified by a majority  
2 of the electors at the election:

3

4 **Article 1, Section 38. Right of health care access.**

5

6 (c) The legislature may determine ~~reasonable and~~  
7 ~~necessary restrictions on the rights granted under this~~  
8 ~~section~~ what constitutes health care for purposes of this  
9 section and enact laws regulating health care that are  
10 reasonably related to ~~protect~~ protecting the health and  
11 general welfare of the people or to ~~accomplish~~ accomplishing  
12 the other purposes set forth in the Wyoming Constitution.

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1           **Section 2.** That the Secretary of State shall endorse  
2 the following statement on the proposed amendment:

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4 The Wyoming Constitution provides each competent adult with  
5 the right to make health care decisions. The adoption of this  
6 amendment would provide that, notwithstanding any other  
7 provision of this Constitution, only the legislature, not the  
8 courts, may define what constitutes "health care" for the  
9 purposes of this right. This amendment would also provide  
10 that legislation regulating health care shall be subject to  
11 judicial review under the "rational basis" standard of  
12 review.

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14

(END)