

## **Resolution to Protect NC Residents from Federal Healthcare Deception**

**Whereas**, the Patient Protection and Affordable Care Act (PPACA) authorizes exchange subsidies only for states which have established state healthcare exchanges, and not for states defaulting to exchanges created by the federal government, and;

**Whereas**, according to the text of the Patient Protection and Affordable Care Act, the individual mandate penalty and business mandates exist as stipulations originating from the agreement to receive PPACA subsidies, and;

**Whereas**, the state of North Carolina opted out of setting up a PPACA state exchange and defaulted to accepting the federal exchange via the passage of SB4, a plan which accepts neither subsidies nor their attached mandates, thereby exempting all of our employers and residents from the mandate penalties, and;

**Whereas**, the IRS is now attempting to circumvent the federal law and impose the mandate taxes and issue those subsidies in states that refused to create state exchanges, and;

**Whereas**, Oklahoma Attorney General Scott Pruitt and Indiana Attorney General Greg Zoeller have filed suit challenging those illegal taxes, and;

**Whereas**, Article 1 Section 5 of the North Carolina Constitution states, *“every citizen of this State owes paramount allegiance to the Constitution and government of the United States, and no law or ordinance of the State in contravention or subversion thereof can have any binding force,”*

**Whereas**, any attempt to force North Carolina residents to comply with illegal IRS mandates which contradict what is outlined within federal legislation, as well as operating outside of the bounds of powers allotted by the United States Constitution, would be in violation of Art. 1 Sec. 5 of the North Carolina Constitution, and;

**Therefore, be it resolved;** it is the sense of the North Carolina Republican Party that the citizens of North Carolina are not subject to the penalty for the individual mandate in the PPACA

**Be it further resolved;** that the North Carolina Republican Party hereby petitions the North Carolina General Assembly members to adopt a similar resolution, in order to inform and protect North Carolina residents from deceptive IRS practices which are not in line with federal law

For more information on Obamacare exchanges/mandate application, see the following research paper:  
[http://papers.ssrn.com/sol3/Delivery.cfm/SSRN\\_ID2234155\\_code372314.pdf?abstractid=2106789&mirid=1](http://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2234155_code372314.pdf?abstractid=2106789&mirid=1)