

1 Resolution of the Taxation and Budget Reform Commission  
2 A resolution proposing the creation of Section 27 of  
3 Article I of the State Constitution to authorize the  
4 Legislature to fund private or religious providers of  
5 public services, such as health care and education, and to  
6 authorize the public to choose among such service  
7 providers as permitted by law.  
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9 Be It Resolved by the Taxation and Budget Reform Commission:  
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11 That the following creation of Section 27 of Article I of  
12 the State Constitution is agreed to and shall be submitted to  
13 the electors of this state for approval or rejection at the next  
14 general election or at an earlier special election specifically  
15 authorized by law for that purpose:

16 ARTICLE I

17 DECLARATION OF RIGHTS

18 SECTION 27. Public services through public and private  
19 providers.--

20 (a) Families and individuals may receive public services,  
21 such as health care and education, including public schools and  
22 elder care, that meet their unique needs, provide an opportunity  
23 for their loved ones to reach their full potential, or be of the  
24 highest quality, from public and private providers for publicly-  
25 financed programs, when permitted in law. It is, therefore,  
26 paramount that no person shall be deprived of the opportunity to  
27 select among eligible public and private providers of publicly-  
28 financed goods and services in every field, as permitted by law,  
29 including, without limitation, health care, education, and elder

30 care. The legislature is not limited from enacting and funding  
31 programs using public and private providers, without regard to  
32 the religious nature of any provider or participant,  
33 notwithstanding this Article, Article IX, section 1, or any  
34 other provision of this Constitution.

35 (b) This section is self-executing and shall not create an  
36 entitlement to a publicly-financed program which is not provided  
37 by law.

38 BE IT FURTHER RESOLVED that the following statement be  
39 placed on the ballot:

40 CONSTITUTIONAL AMENDMENT

41 ARTICLE I, SECTION 27

42 FREEDOM TO CHOOSE AMONG PUBLIC AND PRIVATE PROVIDERS OF  
43 PUBLIC SERVICES.--Provisions of the State Constitution limit the  
44 power of the government to fund or use private or sectarian  
45 entities to provide public services. This proposed  
46 constitutional amendment supersedes those limits. Under the  
47 amendment, individuals, as permitted by law, may choose among  
48 public and private or sectarian providers of state-funded public  
49 services for services such as health care and education.  
50 However, the amendment will not authorize funding that advances  
51 or endorses a religion.