Ruled a Penalty, Not a Tax

Welcome to the Health Freedom Minute. This is Twila Brase, president of Citizens’ Council for Health Freedom.

I have more good news about the ruling in the Virginia lawsuit against the Individual Mandate in Obamacare.

Judge Hudson ruled that the penalty for not buying health insurance is a penalty, not a tax. If it were a tax, as the Obama Administration claimed, the judge could do little about it because courts cannot restrict the power of Congress to tax.

Virginia’s Attorney General told the court that Congress can only impose penalties to aid enumerated powers of Congress, not to force citizens to conform with an unconstitutional demand.

Judge Hudson writes that a penalty “cannot be converted into a tax by the simple expedient of calling it such.” (p. 35) He said the penalty for failing to comply with the unconstitutional individual mandate cannot be imposed.

Find the judge’s ruling at healthfreedomminute.net


The Health Freedom Minute is heard weekdays in Minnesota at 7:03 a.m., 11:03 a.m., 2:03 p.m. and 5:03 p.m. on WWTC AM1280 The Patriot.