



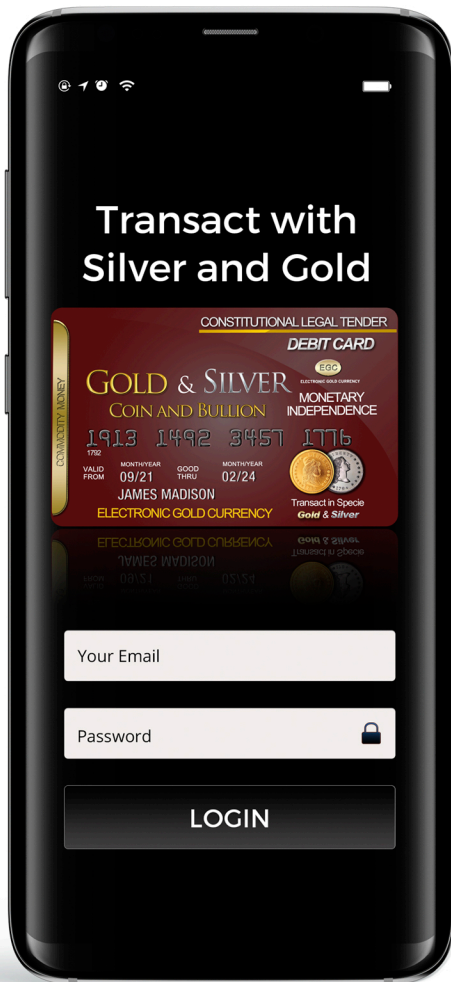
CONSTITUTIONALMILITIA.ORG

AN ACT RELATING TO LEGAL TENDER MODEL STATUTE THAT CAN BE MODIFIED FOR ANY STATE

Author: Ed Vieira, Jr. L.L.D., J.D

Submitted by: Committee for Monetary Research & Education; 10004
Greenwood Court; Charlotte, NC 28215

Applicability: (State) To require the use of lawful coin in the transaction of
business with the state.



Honest, Sound “Money”
is the Absence of Redeemability.



Real Gold. Real Silver. Real Money.
State Issued Electronic Gold Currency Debit Card.
For Everyday Transactions.

constitutionalmilitia.org

An Act Relating To Legal Tender

Author: Ed Vieira, Jr. L.L.D., J.D

Submitted by: Committee for Monetary Research & Education; 10004 Greenwood Court; Charlotte, NC 28215

Applicability: (State) To require the use of lawful coin in the transaction of business with the state.

AN ACT relating to legal tender.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF (?)

Section 1. The Legislature of the State of (?) finds and declares that the State is experiencing an economic crisis of severe magnitude caused in large part by the unconstitutional substitution of Federal Reserve Notes for silver and gold coin as legal tender in this State. The Legislature also finds and declares that immediate exercise of the power of the State of (?) reserved under Article I Section 10, Clause 1 of the United States Constitution and by the Tenth Amendment thereto, is necessary to protect the safety, health and welfare of the people of this State, by guaranteeing to them a constitutional and economically sound monetary system.

Section 2. For the purposes of this Act

(a) the term "State" shall include the State of _____ and all executive and administrative departments and agencies, courts, instrumentalities, and political subdivisions thereof and all elected and appointed officials, employees, and agents thereof acting in their official capacities; and

(b) the term "silver and gold coin" shall include

(1) the silver and gold coins of the United States coined or minted, or such silver and gold coins of any foreign nation adopted as money of the United States, by authority of Congress pursuant to Article I Section 8, Clause 5 of the United States Constitution; and

(2) all new certificates of the United States issued by authority of Congress pursuant to Article I Section 8, Clause 5 of the United States Constitution which certificates are in law and in fact redeemable on demand in silver and gold coin at their face values; but

(3) in no case whatsoever any note, obligation security, bill of credit, or other form or species of paper currency or other instrument or document intended to circulate as money emitted or issued

(A) by the United States or any department, agency, or officer thereof or

(B) by the Federal Reserve System or any board, committee, member bank instrumentality, official or agent thereof.

Section 3. On and after the effective date of this Act this State shall not recognize, employ, or compel any person or entity to recognize or employ any thing other than silver and gold coin as a legal tender in payment of any debt arising out of

(a) taxation by the State, where the applicable authority for the tax shall mandate the calculation and payment thereof in silver and gold coin

(b) expropriation of private property pursuant to exercise of the power of eminent domain by the State or by any entity privileged by the laws thereof to exercise such power

(c) judgments, decrees, or orders of any court or administrative agency of this State in civil or criminal actions or proceedings, except where and only to the extent that the court or agency granting such award shall find, on the basis of clear and convincing evidence, that payment of silver and gold coin shall not constitute just compensation for the damages suffered by the prevailing party, and therefore shall mandate

(1) specific performance of a contract or agreement by other than the payment of money,

(2) specific restitution of identifiable property other than money, or

(3) other like relief, and

(4) contracts or agreements for the payment of wages, salaries, fees, or other monetary compensation to any person, corporation or other entity who or which shall provide goods or services to the State in aid of performance of its governmental functions.

Section 4. The unit and measure for determining what shall constitute legal tender in payment of any debt specified in Section 3 hereof shall be the standard silver dollar, containing 371.25 grains (troy) fine silver, as coined or minted by authority of Congress from time to time pursuant to Article I Section 8, Clause 5 of the United States Constitution.

Section 5. The value of any silver and gold coin as a legal tender in payment of any debt specified in Section 3 hereof shall be denominated in "dollars" (\$), such denomination to be calculated as follows:

(a) the value of any silver coin shall be calculated by dividing the weight of fine silver in grains (troy) that the said coin shall contain by 371.25 grains, and expressing the quotient in "dollars";

(b) the value of any gold coin shall be calculated by multiplying the weight of fine gold in grains (troy) that the said coin shall contain by the proportion by weight between silver and gold as determined by the Treasurer of the State of _____ as provided herein dividing the product of such multiplication by 371.25 grains, and expressing the quotient in "dollars"; and

(c) at the beginning of each business day, the Treasurer of the State of (?) shall determine the average proportion by weight by which gold exchanges against silver in the major precious metals market or markets in the State of (?), and

(1) shall immediately make available such determination to any person upon request without charge; and

(2) shall permanently certify and record such determination.

Section 6. On and after the effective date of this Act the State shall denominate all public accounts, and record, the value of all public assets and liabilities, in standard silver dollars.

Section 7. If any provision of this act or its application to any person or circumstance is held invalid the remaining provisions of the Act or their applications to other persons or circumstances shall not be affected.