

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 105

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE QUADE.

4789H.011

DANA RADEMAN MILLER, Chief Clerk

## JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article I of the Constitution of Missouri, by adopting one new section relating to abortion.

*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2024, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adopting one new section, to be known as Section 36, to read as follows:

- Section 36. 1. This section shall be known as the "Right to Abortion Care".**
- 2. Every person has a fundamental right to reproductive freedom, which is the right to effectuate decisions about all matters relating to such person's reproductive health care, including but not limited to abortion care and contraceptives.**
- 3. The right to reproductive freedom shall not be denied, interfered with, delayed, or otherwise restricted unless the government demonstrates that such action is justified by a compelling governmental interest achieved by the least restrictive means. Any denial, interference, delay, or restriction of the right to reproductive freedom shall be presumed invalid. For purposes of this section, a governmental interest is compelling only if it is for the limited purpose and has the limited effect of improving or**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 **maintaining the health of a person seeking care, is consistent with widely accepted**  
12 **clinical standards of practice and evidence-based medicine, and does not infringe on**  
13 **that person's autonomous decision-making.**

14 **4. No person shall be penalized, prosecuted, or otherwise subject to adverse**  
15 **action based on such person's actual, potential, perceived, or alleged pregnancy outcome**  
16 **including, but not limited to, miscarriage, stillbirth, or abortion, nor shall any person**  
17 **assisting another person in exercising their right to reproductive freedom, with that**  
18 **person's consent, be penalized, prosecuted, or otherwise subjected to adverse action for**  
19 **doing so.**

20 **5. The government shall not discriminate against persons providing or obtaining**  
21 **reproductive health care or assisting another person in doing so.**

22 **6. If any provision of this section or the application thereof to any person or**  
23 **circumstance is held invalid, such determination shall not affect the provisions or**  
24 **applications of this section that may be given effect without the invalid provision or**  
25 **application, and the provisions of this section are severable.**

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