

FIRST REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 47

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEWIS.

2047H.011

JOSEPH ENGLER, 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 reproductive health care.

*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, 2026, 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(a), to read as follows:

**Section 36(a). 1. Notwithstanding any provision of Section 36 of Article I of this Constitution to the contrary, the right to reproductive freedom shall not be construed to include:**

**(1) The performance of gender transition surgeries or the prescription or administration of cross-sex hormones or puberty-blocking drugs to children for the purpose of gender transition;**

**(2) The performance and inducement of abortions, except in cases of medical emergencies, fetal anomalies, rape, or incest. In the case of abortions performed or induced in cases of rape or incest, the abortion may be performed or induced no later**

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.

10 than twenty weeks gestational age of the unborn child and only if a police report has  
11 been filed alleging the offense of rape or incest; and

12 (3) The expenditure of public funds for the purpose of performing or inducing,  
13 or otherwise assisting, any abortion, except in cases of medical emergencies, rape, or  
14 incest.

15 2. Notwithstanding any provision of Section 36 of Article I of this Constitution to  
16 the contrary, the right to reproductive freedom shall not be construed to exempt any  
17 person, firm, or corporation from civil liability for medical malpractice, negligence, or  
18 wrongful death.

19 3. The general assembly shall have the authority to enact laws to carry out the  
20 provisions of this section.

21 4. As used in this section, the following terms mean:

22 (1) "Cross-sex hormones", testosterone, estrogen, or other androgens given to an  
23 individual in amounts that are greater or more potent than would normally occur  
24 naturally in a healthy individual of the same age and sex, but shall not include hormones  
25 used to treat individuals born with a medically-verifiable disorder of sex development or  
26 the treatment of any infection, injury, disease, or disorder unrelated to the purpose of  
27 gender transition;

28 (2) "Fetal anomaly", a structural or functional abnormality in the unborn  
29 child's gestational development that would make life outside the womb impossible and  
30 that would present a serious physical risk to the mother to carry the child to term;

31 (3) "Gender transition surgery", a surgical procedure performed for the  
32 purpose of assisting an individual with identifying with and living as a gender different  
33 from his or her biological sex, but shall not include surgical procedures for individuals  
34 born with a medically verifiable disorder of sex development or the treatment of any  
35 infection, injury, disease, or disorder unrelated to the purpose of gender transition;

36 (4) "Medical emergency", a condition which, based on reasonable medical  
37 judgment, so complicates the medical condition of a pregnant woman as to necessitate  
38 the immediate abortion of her pregnancy to avert the death of the pregnant woman or  
39 for which a delay will create a serious risk of substantial and irreversible physical  
40 impairment of a major bodily function of the pregnant woman;

41 (5) "Puberty-blocking drugs", gonadotropin-releasing hormone analogues or  
42 other synthetic drugs used to stop luteinizing hormone secretion and follicle stimulating  
43 hormone secretion, synthetic antiandrogen drugs to block the androgen receptor, or any  
44 other drug used to delay or suppress pubertal development in children for the purpose  
45 of assisting an individual with a gender transition, but shall not include drugs used to  
46 treat individuals born with a medically verifiable disorder of sex development or the

47 **treatment of any infection, injury, disease, or disorder unrelated to the purpose of**  
48 **gender transition.**

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and  
2 laws of this state allowing the general assembly to adopt ballot language for the submission of  
3 this joint resolution to the voters of this state, the official summary statement of this  
4 resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to:

- 6 • Protect children from gender transition surgeries, hormones, and drugs;
- 7 • Guarantee that reproductive freedom includes abortions only for medical  
8 emergencies, fetal anomalies, rape, or incest;
- 9 • Guarantee that reproductive freedom does not limit liability for malpractice,  
10 negligence, or wrongful death; and
- 11 • Prohibit taxpayer funded abortions?"

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