

Senate Joint Resolution 1 - Introduced

SENATE JOINT RESOLUTION 1
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WINCKLER, STAED, CELSI,
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SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of
2 the State of Iowa relating to the right to reproductive care.
3 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. The following amendment to the Constitution of the
2 State of Iowa is proposed:

3 Article I of the Constitution of the State of Iowa is amended
4 by adding the following new section:

5 Sec. 26. **Right to reproductive care.**

6 1. The state shall not deny or interfere with an individual's
7 reproductive freedom and an individual's most private decisions
8 concerning reproductive freedom shall not be infringed.

9 Reproductive freedom includes but is not limited to prenatal
10 care, childbirth, postpartum care, contraception, sterilization,
11 abortion care, miscarriage management, and infertility care. The
12 sovereign state of Iowa affirms and recognizes the right to
13 reproductive freedom to be a fundamental individual right.

14 2. An individual's right to reproductive freedom shall not
15 be denied, burdened, or infringed upon unless justified by a
16 compelling state interest achieved by the least restrictive
17 means. Notwithstanding the provisions of this subsection, the
18 state may regulate the provision of abortion care after fetal
19 viability, provided that under no circumstance shall the state
20 prohibit an abortion that, in the professional judgment of
21 an attending health care professional, is medically indicated
22 to protect the life or physical or mental health of the
23 pregnant individual. For the purposes of this subsection, "fetal
24 viability" means the point in pregnancy when, in the professional
25 judgment of an attending health care professional and based
26 on the particular facts of the case, there is a significant
27 likelihood of sustained survival of the fetus outside the uterus
28 without the application of extraordinary medical measures.

29 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
30 amendment to the Constitution of the State of Iowa is referred
31 to the general assembly to be chosen at the next general election
32 for members of the general assembly, and shall be published as
33 provided by law for three consecutive months previous to the date
34 of that election.

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EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This joint resolution proposes an amendment to the
4 Constitution of the State of Iowa relating to the right to
5 reproductive care specifying:

6 1. The state shall not deny or interfere with an individual's
7 reproductive freedom and an individual's most private decisions
8 concerning reproductive freedom shall not be infringed.
9 Reproductive freedom includes but is not limited to prenatal
10 care, childbirth, postpartum care, contraception, sterilization,
11 abortion care, miscarriage management, and infertility care. The
12 sovereign state of Iowa affirms and recognizes the right to
13 reproductive freedom to be a fundamental individual right.

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15 be denied, burdened, or infringed upon unless justified by a
16 compelling state interest achieved by the least restrictive
17 means. Notwithstanding the provisions of this subsection, the
18 state may regulate the provision of abortion care after fetal
19 viability, provided that under no circumstance shall the state
20 prohibit an abortion that, in the professional judgment of an
21 attending health care professional, is medically indicated to
22 protect the life or physical or mental health of the pregnant
23 individual. "Fetal viability" is defined as the point in
24 pregnancy when, in the professional judgment of an attending
25 health care professional and based on the particular facts of
26 the case, there is a significant likelihood of sustained survival
27 of the fetus outside the uterus without the application of
28 extraordinary medical measures.

29 The joint resolution, if adopted, would be published and then
30 referred to the next general assembly (92nd) for adoption, before
31 being submitted to the electorate for ratification.