

Senate Joint Resolution 2003 - Introduced

SENATE JOINT RESOLUTION 2003
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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 sovereign state of Iowa affirms and recognizes the
7 right to reproductive freedom to be a fundamental individual
8 right. The state shall not deny or interfere with an
9 individual's reproductive freedom and an individual's private
10 decisions concerning reproductive freedom shall not be infringed.
11 An individual's right to reproductive freedom shall not be
12 denied, burdened, or infringed upon unless justified by a
13 compelling state interest achieved by the least restrictive
14 means. Reproductive freedom includes but is not limited
15 to prenatal care, childbirth, postpartum care, contraception,
16 sterilization, abortion care, miscarriage management, and
17 infertility care.

18 2. Notwithstanding subsection 1, the state may regulate the
19 provision of abortion care after fetal viability, provided that
20 under no circumstance shall the state prohibit an abortion
21 that, in the professional judgment of an attending health care
22 professional, is medically indicated to protect the life or
23 physical or mental health of the pregnant individual. For the
24 purposes of this subsection, "fetal viability" means the point
25 in pregnancy when, in the professional judgment of an attending
26 health care professional and based on the particular facts of
27 the case, there is a significant likelihood of sustained survival
28 of the fetus outside the uterus without the application of
29 extraordinary medical measures.

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

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EXPLANATION

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

This joint resolution proposes an amendment to the Constitution of the State of Iowa relating to the right to reproductive care.

The proposed amendment provides that the right to reproductive freedom is a fundamental individual right; the state shall not deny or interfere with an individual's reproductive freedom and an individual's private decisions concerning reproductive freedom shall not be infringed. The proposed amendment declares that the right shall not be denied, burdened, or infringed upon absent a compelling state interest achieved by the least restrictive means.

The proposed amendment defines reproductive freedom to include prenatal care, childbirth, postpartum care, contraception, sterilization, abortion care, miscarriage management, and infertility care.

The proposed amendment provides the exception that the state may regulate the provision of abortion care after fetal viability provided the state does not prohibit an abortion that, in the professional judgment of an attending health care professional, is medically indicated to protect the life or physical or mental health of the pregnant individual. "Fetal viability" is defined by the proposed amendment.

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