

SENATE AMENDMENT NO. _____
TO
SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SA _____ to SS/HCS/House Joint Bill No. 73, Page 1, Section _____, Line 5,

2 by inserting after "resolution" the following: "and
 3 inserting in lieu thereof the following:

4 "2. This section shall be known as "The Right to
 5 Reproductive Freedom Initiative".

6 3. The government shall not deny or infringe upon a
 7 person's fundamental right to reproductive freedom, which is
 8 the right to make and carry out decisions about all matters
 9 relating to reproductive health care, including but not
 10 limited to prenatal care, childbirth, postpartum care, birth
 11 control, abortion care, miscarriage care, and respectful
 12 birthing conditions.

13 4. The right to reproductive freedom shall not be
 14 denied, interfered with, delayed, or otherwise restricted
 15 unless the government demonstrates that such action is
 16 justified by a compelling governmental interest achieved by
 17 the least restrictive means. Any denial, interference,
 18 delay, or restriction of the right to reproductive freedom
 19 shall be presumed invalid. For purposes of this section, a
 20 governmental interest is compelling only if it is for the
 21 limited purpose and has the limited effect of improving or
 22 maintaining the health of a person seeking care, is

23 consistent with widely accepted clinical standards of
24 practice and evidence-based medicine, and does not infringe
25 on that person's autonomous decision-making.

26 5. Notwithstanding subsection 4 of this section, the
27 general assembly may enact laws that regulate the provision
28 of abortion after fetal viability provided that under no
29 circumstance shall the government deny, interfere with,
30 delay, or otherwise restrict an abortion that in the good
31 faith judgment of a treating health care professional is
32 needed to protect the life or physical or mental health of
33 the pregnant person.

34 6. No person shall be penalized, prosecuted, or
35 otherwise subjected to adverse action based on their actual,
36 potential, perceived, or alleged pregnancy outcomes,
37 including but not limited to miscarriage, stillbirth, or
38 abortion. Nor shall any person assisting a person in
39 exercising their right to reproductive freedom with that
40 person's consent be penalized, prosecuted, or otherwise
41 subjected to adverse action for doing so.

42 7. The government shall not discriminate against
43 persons providing or obtaining reproductive health care or
44 assisting another person in doing so.

45 8. If any provision of this section or the application
46 thereof to anyone or to any circumstance is held invalid,
47 the remainder of those provisions and the application of
48 such provisions to others or other circumstances shall not
49 be affected thereby.

50 9. For purposes of this section, the following terms
51 mean:

52 (1) "Fetal viability", the point in pregnancy when, in
53 the good faith judgment of a treating health care
54 professional and based on the particular facts of the case,
55 there is a significant likelihood of the fetus's sustained

56 survival outside the uterus without the application of
57 extraordinary medical measures;
58 (2) "Government",
59 (a) the state of Missouri; or
60 (b) any municipality, city, town, village, township,
61 district, authority, public subdivision or public
62 corporation having the power to tax or regulate, or any
63 portion of two or more such entities within the state of
64 Missouri."; and

65 Further amend said resolution, page 7, Section B, lines
66 8-17, by striking all of said lines and inserting in lieu
67 thereof the following:

68 "● Establish a right to reproductive health care,
69 including abortion and contraceptives;
70 ● Allow regulation of reproductive health care for
71 the health of patients;
72 ● Prohibit government discrimination against persons
73 providing or obtaining reproductive health care; and
74 ● Allow abortion restrictions after fetal viability
75 except to protect the health of the woman?"".