

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 33

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

0897S.03I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to reproductive health care.

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

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2026, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article I of the
7 Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended
2 by adding thereto one new section, to be known as section 36(a),
3 to read as follows:

**Section 36(a). 1. Notwithstanding any provision of
2 section 36 of article I of this Constitution to the contrary:**

3 **(1) No abortion shall be performed or induced upon a
4 woman, except in cases of medical emergency, rape, or
5 incest. In the case of abortions performed or induced in
6 cases of rape or incest, the abortion may be performed or
7 induced no later than twelve weeks gestational age of the
8 unborn child and only if documentation is presented to the
9 attending physician that the rape or incest has been
10 reported to a law enforcement agency that has jurisdiction**

11 to investigate the complaint at least forty-eight hours
12 prior to the abortion;

13 (2) No public funds shall be expended for the purpose
14 of performing or inducing, or otherwise assisting, any
15 abortion;

16 (3) No gender transition surgeries shall be knowingly
17 performed on children under eighteen years of age and no
18 cross-sex hormones or puberty-blocking drugs shall be
19 knowingly prescribed or administered for the purpose of
20 gender transition to children under eighteen years of age.
21 The provisions of this section shall not apply to the use of
22 such surgeries, drugs, or hormones to treat children born
23 with a medically verifiable disorder of sex development or
24 to treat any infection, injury, disease, or disorder
25 unrelated to the purpose of a gender transition; and

26 (4) Any person who intentionally or negligently causes
27 damage to another person relating to the provision of
28 prenatal care, childbirth, postpartum care, miscarriage
29 care, or for the performance or inducement of an abortion
30 shall be liable for damages and shall be subject to the
31 suspension or revocation of his or her medical license.

32 2. A woman's right to reproductive freedom shall
33 include the right to health care in cases of miscarriages,
34 ectopic pregnancies, and other medical emergencies and the
35 provisions of this section shall not be construed to limit a
36 woman's access to such health care.

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

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

40 (1) "Cross-sex hormones", testosterone, estrogen, or
41 other androgens given to an individual in amounts that are

42 greater or more potent than would normally occur naturally
43 in a healthy individual of the same age and sex;

44 (2) "Gender transition surgery", a surgical procedure
45 performed for the purpose of assisting an individual with
46 identifying with and living as a gender different from his
47 or her biological sex;

48 (3) "Medical emergency", a condition which, based on
49 reasonable medical judgment, so complicates the medical
50 condition of a pregnant woman as to necessitate the
51 immediate termination of her pregnancy to avert the death of
52 the pregnant woman or for which a delay will create a
53 serious risk of substantial and irreversible physical
54 impairment of a major bodily function of the pregnant
55 woman. A "medical emergency" shall include, but not be
56 limited to, an ectopic pregnancy at any point following the
57 diagnosis of such;

58 (4) "Puberty-blocking drugs", gonadotropin-releasing
59 hormone analogues or other synthetic drugs used to stop
60 luteinizing hormone secretion and follicle stimulating
61 hormone secretion, synthetic antiandrogen drugs to block the
62 androgen receptor, or any other drug used to delay or
63 suppress pubertal development in children for the purpose of
64 assisting an individual with a gender transition.

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

7 "Shall the Missouri Constitution be amended to:

- 8 • Guarantee the right to reproductive freedom
9 which shall include a woman's right to health

10 care for miscarriages, ectopic pregnancies, and
11 medical emergencies;
12 • Prohibit surgeries, hormones, and drugs used
13 on children for gender transitions;
14 • Prohibit taxpayer-funded abortions; and
15 • Prohibit abortions except for medical
16 emergencies, rape, or incest?".

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