

SENATE JOINT RESOLUTION NO. 55

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

2482S.01I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 36 of article I of the Constitution of Missouri, 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. Section 36, article I, Constitution of
2 Missouri, is repealed, to read as follows:

[Section 36. 1. This Section shall be
2 known as "The Right to Reproductive Freedom
3 Initiative".
4 2. The Government shall not deny or
5 infringe upon a person's fundamental right to
6 reproductive freedom, which is the right to make
7 and carry out decisions about all matters
8 relating to reproductive health care, including
9 but not limited to prenatal care, childbirth,
10 postpartum care, birth control, abortion care,
11 miscarriage care, and respectful birthing
12 conditions.
13 3. The right to reproductive freedom shall
14 not be denied, interfered with, delayed, or
15 otherwise restricted unless the Government
16 demonstrates that such action is justified by a

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 compelling governmental interest achieved by the
18 least restrictive means. Any denial,
19 interference, delay, or restriction of the right
20 to reproductive freedom shall be presumed
21 invalid. For purposes of this Section, a
22 governmental interest is compelling only if it
23 is for the limited purpose and has the limited
24 effect of improving or maintaining the health of
25 a person seeking care, is consistent with widely
26 accepted clinical standards of practice and
27 evidence-based medicine, and does not infringe
28 on that person's autonomous decision-making.

29 4. Notwithstanding subsection 3 of this
30 Section, the general assembly may enact laws
31 that regulate the provision of abortion after
32 Fetal Viability provided that under no
33 circumstance shall the Government deny,
34 interfere with, delay, or otherwise restrict an
35 abortion that in the good faith judgment of a
36 treating health care professional is needed to
37 protect the life or physical or mental health of
38 the pregnant person.

39 5. No person shall be penalized,
40 prosecuted, or otherwise subjected to adverse
41 action based on their actual, potential,
42 perceived, or alleged pregnancy outcomes,
43 including but not limited to miscarriage,
44 stillbirth, or abortion. Nor shall any person
45 assisting a person in exercising their right to
46 reproductive freedom with that person's consent
47 be penalized, prosecuted, or otherwise subjected
48 to adverse action for doing so.

49 6. The Government shall not discriminate
50 against persons providing or obtaining
51 reproductive health care or assisting another
52 person in doing so.

53 7. If any provision of this Section or the
54 application thereof to anyone or to any
55 circumstance is held invalid, the remainder of
56 those provisions and the application of such
57 provisions to others or other circumstances
58 shall not be affected thereby.

59 8. For purposes of this Section, the
60 following terms mean:

61 (1) "Fetal Viability", the point in
62 pregnancy when, in the good faith judgment of a
63 treating health care professional and based on
64 the particular facts of the case, there is a
65 significant likelihood of the fetus's sustained
66 survival outside the uterus without the
67 application of extraordinary medical measures.

68 (2) "Government",
69 a. the state of Missouri; or
70 b. any municipality, city, town, village,
71 township, district, authority, public
72 subdivision or public corporation having the
73 power to tax or regulate, or any portion of two
74 or more such entities within the state of
75 Missouri.]

✓