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SCA-10 Reproductive freedom. (2021-2022)

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Senate Constitutional Amendment No. 10

CHAPTER 97

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.1 to Article I thereof, relating to fundamental rights.

[Filed with Secretary of State June 29, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SCA 10, Atkins. Reproductive freedom.

The California Constitution declares that defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy are inalienable rights, and that a person may not be deprived of life, liberty, or property without due process of law or equal protection of the laws. Existing law, the Reproductive Privacy Act, declares that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions and prohibits the state from denying or interfering with a person's right to choose or obtain an abortion before viability of the fetus, or when the abortion is necessary to protect the life or health of the person.

This measure would amend the California Constitution to prohibit the state from denying or interfering with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 2021–22 Regular Session commencing on the seventh day of December 2020, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

That Section 1.1 is added to Article I thereof, to read:

SEC. 1.1. The state shall not deny or interfere with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives. This section is intended to further the constitutional right to privacy guaranteed by Section 1, and the constitutional right to not be denied equal protection guaranteed by Section 7. Nothing herein narrows or limits the right to privacy or equal protection.