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SR-9 (2023-2024)

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ENROLLED JANUARY 24, 2023

PASSED IN SENATE JANUARY 23, 2023

AMENDED IN SENATE JANUARY 18, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE RESOLUTION

NO. 9

Introduced by Senators Skinner and Atkins

(Coauthors: Senators Alvarado-Gil, Ashby, Blakespear, Caballero, Durazo, Eggman, Gonzalez, Hurtado, Limón, Menjivar, Rubio, Smallwood-Cuevas, and Wahab)

January 09, 2023

Relative to reproductive health.

LEGISLATIVE COUNSEL'S DIGEST

SR 9, Skinner.

WHEREAS, January 22, 2023, marks the 50th anniversary of the United States Supreme Court's landmark decision in *Roe v. Wade* (1973) 410 U.S. 113, which affirmed the fundamental right to control reproductive decisions and decide whether to continue a pregnancy or obtain an abortion, which is an occasion deserving of acknowledgment; and

WHEREAS, *Roe v. Wade* was overturned by a 6-3 vote of the United States Supreme Court in *Dobbs v. Jackson Women's Health Organization* (2022) 597 U.S. ____ on June 24, 2022; and

WHEREAS, *Roe v. Wade* had been the cornerstone of one's ability to control their reproductive lives, affirming the right of anyone who could become pregnant in the United States to decide when and if to have children; and

WHEREAS, Abortion is a safe and common medical procedure and nearly one in four women in the United States will have an abortion by 45 years of age; and

WHEREAS, The Turnaway Study shows that denying people abortion creates economic hardship and insecurity that lasts for years and negatively impacts those people and their children; and

WHEREAS, Maternal death rates are 62 percent higher and perinatal death rates are 15 percent higher in states where abortion is restricted than in states with access to abortion and abortion bans disproportionately harm youth, people with low incomes, and communities of color; and

WHEREAS, As a result of the Dobbs decision repealing Roe v. Wade, 13 states have total abortion bans in effect and almost one-third of women and people who can become pregnant of reproductive age in the United States live in a state where abortion is not legal or is severely restricted; and

WHEREAS, With Roe v. Wade overturned, it is likely that abortion will be banned or severely restricted in 24 states, affecting more than 36 million women and even more people who can become pregnant; and

WHEREAS, Without the protections under Roe, there are no federal protections for patients and providers of sexual and reproductive health care from being criminalized for receiving or providing essential health care services; and

WHEREAS, The State of California stands in strong support of every individual's fundamental right to choose whether to continue a pregnancy; and

WHEREAS, Four years before Roe v. Wade, our state Supreme Court held that Californians have the fundamental constitutional right to procreative choice, a right that follows our state's recognition of the right to privacy in matters relating to marriage, family, and sex, in *People v. Belous* (1969) 71 Cal. 2d 954; and

WHEREAS, Our state Supreme Court recognized that while, at the time, there was no enumerated privacy right in either our or federal Constitution, the right to privacy was indisputably a fundamental right; and

WHEREAS, To further lay the groundwork to protect that right, California voters, in 1972, one year before Roe v. Wade, passed a constitutional amendment to explicitly provide for the constitutional right to privacy; and

WHEREAS, In the immediate aftermath of the United States Supreme Court's devastating decision in *Dobbs v. Jackson*, the Legislature passed and the Governor signed a comprehensive package of legislation expanding, protecting, and strengthening access to reproductive health care, including abortions for all Californians and people seeking such care, in our state; and

WHEREAS, The Legislature passed Senate Constitutional Amendment 10 to put Proposition 1 on the November 2022 ballot; and

WHEREAS, The California voters overwhelmingly supported Proposition 1, and enacted a state constitutional right to prohibit the state from 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; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate urges the President of the United States and the United States Congress to enact federal legislation that guarantees the right to reproductive freedom, including abortion and contraception; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.