

HOUSE BILL 1171

J1
HB 1031/19 – HGO

CONSTITUTIONAL AMENDMENT

2lr2053

By: **Delegate A. Jones**

Introduced and read first time: February 11, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Declaration of Rights – Right to Reproductive Liberty**

3 FOR the purpose of establishing that every person, as a central component of the
4 individual's rights to liberty and equality, has the fundamental right to reproductive
5 liberty; prohibiting the State from, directly or indirectly, denying, burdening, or
6 abridging the right unless justified by a compelling State interest achieved by the
7 least restrictive means.

8 BY proposing an addition to the Maryland Constitution
9 Declaration of Rights
10 Article 48

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 (Three-fifths of all the members elected to each of the two Houses concurring), That it be
13 proposed that the Maryland Constitution read as follows:

14 **Declaration of Rights**

15 **ARTICLE 48.**

16 **THAT EVERY PERSON, AS A CENTRAL COMPONENT OF THE INDIVIDUAL'S**
17 **RIGHTS TO LIBERTY AND EQUALITY, HAS THE FUNDAMENTAL RIGHT TO**
18 **REPRODUCTIVE LIBERTY WHICH INCLUDES THE RIGHT TO MAKE AND EFFECTUATE**
19 **DECISIONS REGARDING THE INDIVIDUAL'S OWN REPRODUCTION, INCLUDING BUT**
20 **NOT LIMITED TO THE ABILITY TO PREVENT, CONTINUE, OR END THEIR PREGNANCY.**
21 **THE STATE MAY NOT, DIRECTLY OR INDIRECTLY, DENY, BURDEN, OR ABRIDGE THE**
22 **RIGHT UNLESS JUSTIFIED BY A COMPELLING STATE INTEREST ACHIEVED BY THE**
23 **LEAST RESTRICTIVE MEANS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 determines that the amendment to the Maryland Constitution proposed by Section 1 of this
2 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
3 Constitution concerning local approval of constitutional amendments do not apply.

4 SECTION 3. AND BE IT FURTHER ENACTED, That:

5 (a) The amendment to the Maryland Constitution proposed by Section 1 of this
6 Act shall be submitted to the qualified voters of the State at the next general election to be
7 held in November 2022 for adoption or rejection pursuant to Article XIV of the Maryland
8 Constitution.

9 (b) (1) At that general election, the vote on the proposed amendment to the
10 Constitution shall be by ballot, and on each ballot there shall be printed the words “For the
11 Constitutional Amendment” and “Against the Constitutional Amendment”, as now
12 provided by law.

13 (2) At that general election, a question substantially similar to the
14 following shall be submitted to the qualified voters of the State:

15 “Question ___ – Constitutional Amendment

16 The proposed amendment confirms an individual’s fundamental right to the individual’s
17 own reproductive liberty and provides the State may not, directly or indirectly, deny,
18 burden, or abridge the right unless justified by a compelling State interest achieved by the
19 least restrictive means.”.

20 (c) Immediately after the election, all returns shall be made to the Governor of
21 the vote for and against the proposed amendment, as directed by Article XIV of the
22 Maryland Constitution, and further proceedings had in accordance with Article XIV.