



Ella Ennis, Legislative Chairman
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The Honorable Joseline Pena-Melnyk, Chairman
and Members of the Health and
Government Operations Committee,
Maryland House of Delegates

RE: **SB0798** – Declaration of Rights – Right to Reproductive Liberty – **OPPOSE**

Dear Chairman Pena-Melnyk and Committee Members,

The Maryland Federation of Republican Women strongly opposes SB0798 for a number of reasons.

The proposed constitutional amendment states that “every person...has the fundamental right to reproductive freedom, including but not limited to...”. What will the amendment allow beyond the right to “prevent, continue or end one’s own pregnancy”? This wording is overly broad and vague, and very importantly, is not included in the wording of the Ballot language for the amendment that voters will see when they vote. If SB0798 is to become a part of the Declaration of Rights of the Maryland Constitution the voters need to see all of the words of the amendment. They need to understand before they vote how vast a change they are approving. SB0798 needs to be amended to print all of the language of the amendment on the ballot.

This proposed constitutional amendment is written so broadly that it would allow abortion at any time. A Goucher poll of Marylanders’ attitudes about abortion conducted in October 2021 found that more than half (54%) of respondents want some restrictions on abortion.

No regard is given to the resulting child even when it has reached viability. Government and society should not abandon pre-born children, especially when they have reached viability. The decision of a woman to end her pregnancy should not unequivocally override the rights of a viable fetus. It is not mutually exclusive for a viable baby to live and a woman to end her pregnancy.

In the United States, it has been generally accepted in the medical community for decades that viability occurs at approximately 24 weeks of gestational age.¹ Children born at 23 weeks can and have survived and grown up to be normal, healthy human beings.

The bill states “that every person, as a central component of an individual’s rights to liberty and equality, has the right ...” It appears that “every person” would include allowing minors -- under 21 years of age -- to consent to surgery to remove their reproductive organs for gender reassignment, a procedure that would obliterate their ability to reproduce. A minor would be able to make that major life decision at an

¹ Chervenak, L.B. McCullough Textbook of Perinatal Medicine, 1998



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age that science and the Maryland General Assembly (in advocating for other bills) have stated their brains are still developing and that they are not mature enough to be fully responsible for their decisions and actions.

Could SB0798 also exempt (as proposed in HB 626 of 2022) an individual from being held responsible for a perinatal death “due to a failure to act”? The dictionary definition of the perinatal period is 20 weeks into gestation through 28 days of newborn life. A failure to act in this instance might include a failure to provide food, water, medicine for a newborn baby or protect the baby from extreme hot or cold weather.

The right to reproductive freedom defined in HB 460 is too vague. Please give SB0798 an Unfavorable Report. At least, amend it to provide that the entire amendment appear on the ballot question.

Sincerely,
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No regard is given to the man, without whose contribution the pregnancy would be impossible. As a nation, we have always held that parental responsibility begins at conception. Parental rights (both the mother and father) begin at conception as well.

For all of the above reasons, please give **SB0798** an **UNFAVORABLE** report.

Sincerely,

Ella Ennis
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