

Written Testimony of Thomas P. and Tina M. Wilson

RE: In Opposition to Senate Bill SB0798 - Declaration of Rights – Right to Reproductive Liberty

March 24, 2023

As citizens of the state of Maryland, we are vehemently opposed to **Maryland Senate Bill SB-0798** on both legal and moral grounds. This testimony seeks to express our concerns around **SB-0798**.

We reviewed the written testimony provided by the American Center for Law and Justice (ACLJ) as the previous version of this bill (HB1171) was being considered in the 2022 Legislative session. In that testimony dated February 18, 2022, the ACLJ pointed out that the *“full scope and repercussions of HB1171 (now Senate Bill 0798) are unclear and could severely impact the rights and freedoms of Maryland citizens. Because the radical measures that would be implemented should HB1171 (now Senate Bill 0798) be passed are relatively new, and because the language of HB1171 (now Senate Bill 0798) is both broad in scope, and vague, it is not possible to fully quantify the effects on law that HB1171(now Senate Bill 0798) would have if passed. Nonetheless, the proposed amendment would have significant effects, disrupting the many laws in place that currently protect life and conscience. Most notably, the passage of HB1171 (now Senate Bill 0798) would prohibit future legislative efforts to place even modest limits on abortion, thwarting those who value innocent life and seek to protect it, and would prohibit future legislation that protects life from being enacted.”*

In our minds, the purposeful use of broad and vague language conceals a potentially significant impact; many of the existing Maryland laws in place to protect the interests of all could be suddenly invalidated. As pointed out by the ACLJ testimony on HB1171 in last year’s legislative session, *“an abortion amendment would invalidate state abortion restrictions that are supported by the majority of the public, including the following common sense, protective laws: partial-birth abortion bans; infanticide bans; bans on selective abortion based on gender or disability; parental notification; informed consent; and many more. House Bill 1171 (now Senate Bill 0798) contains no saving provisions for already existing laws.”* The present language of SB 0798 seeks to conceal the true nature of the bill and its implications on Marylanders.

Of even greater concern to us, the ACLJ testimony points out a *“long list of laws that would likely be struck down, **without notice to the public**, by this proposed legislation. . . would appear to be intended to drive a stake into all of these laws, and more, and do so in a way that would **leave voters uninformed entirely on the scope of the issue** on which they are voting, including the surrender of their right to adopt protections for life in the future.”*

SB-0798, if enacted by ballot, would threaten to close pro-life pregnancy centers and deny medical providers their rights of conscience. By making abortion a “fundamental right” Maryland taxpayers will be forced to pay for ALL ABORTIONS. The Amendment also would compel physicians, hospitals and other healthcare providers to participate in abortion, in violation of their rights of conscience and free exercise of religion. Finally, by passing this bill, the Maryland legislature will be infringing on the Freedom of Speech guaranteed by the Constitution of the United States, by barring all future attempts to pass lifesaving legislation such as partial birth abortion or dismemberment bans.

Maryland law already is extreme on abortion. The Maryland Freedom of Choice Act (1991) allows abortion-on-demand, for any reason and up until birth. Maryland is one of only four states that forces taxpayers to pay for other people's abortions. Maryland is one of only three states that shield abortionists from liability by refusing to report abortion data to the CDC. As a result, Maryland is failing to address women's reproductive health and the incidents of abortion-related maternal injury and death or risks of future miscarriage, pre-term birth or loss of fertility. Finally, we are already an abortion destination, as women are coming across state lines for abortions in Maryland.

Under Supreme Court precedent, we recognize that lawmakers still have the right to pass laws to protect women's health throughout pregnancy, to restrict abortion after viability, and to ban ALL public funding for abortion. But this proposed Abortion Amendment would take the power to regulate abortion away and force Maryland taxpayers to fully fund ALL abortions. We do not want our state of Maryland to be the abortion capitol of the United States. Such extreme legislation has no place in our State Constitution.

Therefore, we believe it is paramount that voters understand the potential ramifications of this bill and be provided with the best available information to make an informed decision. *We seek your support* in the hope that this bill be withdrawn, or at least adequately amended in the Senate to provide greater insight and understanding as to the potential outcomes from passage of SB0798. Thank you once again for your consideration and action on our observations and suggestions.

Respectfully,

Thomas P. and Tina M. Wilson
Long-time residents of MD District 17