



Opposition Statement HB334

State Procurement – Constitutional Violations-Prohibited

By Laura Bogley-Knickman, JD

Director of Legislation, Maryland Right to Life

We Oppose HB334

On behalf of our 200,000 followers across the state, we respectfully object to HB334. This bill weaponizes state government against non-profit organizations who oppose their ideological or political agenda. The bill puts the burden on the organization/contractor to disprove that they violated the Constitution. The legislation is clearly intended to prevent speech and public participation by those with opposing viewpoints.

Pro-life organizations and providers are systemically excluded from participating in any state programs or contracts because of the state's abortion bias. The state falsely claims that in order to provide "comprehensive" reproductive healthcare services, an organization must refer to or provide abortions.

Despite that fact that federal abortion mandates were overturned by the Supreme Court in their 2022 Dobbs decision, the State of Maryland fabricated a right to so-called reproductive freedom in the Maryland Constitution. However, we maintain that this is unconstitutional as the Constitution of the United States supercedes and contradictory provisions in state constitutions or law and the U.S. Constitution guarantees the right to life.

This bill results in just another arbitrary form of discrimination by the state against pro-life speech under the guise of protecting a State Constitutional right. For this reason we urge your unfavorable report.

Pregnancy is not a Disease

Abortion is not healthcare. It is violence and brutality that ends the lives of unborn children through suction, dismemberment or chemical poisoning. The fact that 85% of OB-GYNs in a representative national survey do not perform abortions on their patients is glaring evidence that abortion is not an essential part of women's healthcare. Women have better options for comprehensive health care. There are 14 federally qualifying health care centers for every Planned Parenthood in Maryland. Abortion has a disproportionate impact on Black Americans who have long been targeted by the abortion industry for eugenics purposes. As a result abortion is the leading cause of death of Black Americans, more than gun violence and all other causes combined.

No public funding for abortions

Taxpayers should not be forced to fund elective abortions, which make up the vast majority of abortions committed in Maryland. State funding for abortion on demand with taxpayer funds is in direct conflict with the will of the people. A 2022 Marist poll showed that 54% of Americans, both "pro-life" and "pro-choice" oppose the use of tax dollars to pay for a woman's abortion.

Love them both

This bill stands in conflict with the fact that 81% of Americans polled favor laws that protect both the lives of women and unborn children. Public funds instead should be prioritized to fund health and family planning

improving maternal health and birth and delivery outcomes, well baby care, parenting classes, foster care reform and affordable adoption programs.

Funding restrictions are constitutional

The Supreme Court of the United States, in *Dobbs v. Jackson Women's Health* (2022), overturned *Roe v. Wade* (1973) and held that there is no right to abortion found in the Constitution of the United States. As early as 1980 the Supreme Court affirmed in *Harris v. McRae*, that *Roe* had created a limitation on government, not a government funding entitlement. The Court ruled that the government may distinguish between abortion and other procedures in funding decisions -- noting that "*no other procedure involves the purposeful termination of a potential life*", and held that there is "*no limitation on the authority of a State to make a value judgment favoring childbirth over abortion, and to implement that judgment by the allocation of public funds.*"