

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR

House Resolution Nos. 294 & 212

95TH GENERAL ASSEMBLY

1396L.03C

2 **Whereas**, the 111th United States Congress is considering the Freedom of Choice
3 Act, which purports to classify abortion as a "fundamental right", equal in stature to the right of
4 free speech and the right to vote - rights that, unlike abortion, are specifically enumerated in the
5 United States Constitution; and

6 **Whereas**, the federal Freedom of Choice Act would invalidate any "statute,
7 ordinance, regulation, administrative order, decision, policy, practice, or other action" of any
8 federal, state, or local government or governmental office, or any person acting under
9 governmental authority that would "deny or interfere with a woman's right to choose" abortion,
10 or that would "discriminate against the exercise of the right...in the regulation or provision of
11 benefits, facilities, services, or information"; and

12
13 **Whereas**, the federal Freedom of Choice Act would nullify any federal or state law
14 "enacted, adopted, or implemented before, on, or after the date of its enactment" and would
15 effectively prevent the State of Missouri from enacting similar protective measures in the future;
16 and

17
18 **Whereas**, the federal Freedom of Choice Act would invalidate more than 550
19 federal and state abortion-related laws, laws supported by the majority of the American people;
20 and

21
22 **Whereas**, the federal Freedom of Choice Act would specifically invalidate the
23 following commonsense protective laws properly enacted by the State of Missouri:

24
25 (1) A parental consent law for minors seeking an abortion;

26 (2) A prohibition on government funding or use of public facilities for abortions;

27

28 (3) Health and safety regulation for abortion facilities;

29

30 (4) A twenty-four-hour waiting period and informed consent law that provides an
31 opportunity to consider the gravity of a decision to abort a child;

32

33 (5) A partial birth abortion ban (Infant's Protection Act);

34

35 (6) A requirement that only physicians can perform or induce abortions and that such
36 physicians maintain medical malpractice insurance;

37

38 (7) Conscience protections for doctors and hospitals not wanting to perform or induce
39 abortions;

40

41 (8) A prohibition on performing or inducing abortions in order to use fetal organs or
42 tissue for transplantation or experimentation;

43

44 (9) Licensing of most abortion clinics as ambulatory surgical centers to ensure basic
45 health and safety of patients;

46

47 (10) Alternatives to abortion programs to encourage and support women who do not
48 want abortions; and

49

50 **Whereas**, the federal Freedom of Choice Act will not make abortion safe or rare,
51 but will instead actively promote and subsidize abortion with federal and state tax dollars and
52 will do nothing to ensure its safety; and

53

54 **Whereas**, the federal Freedom of Choice Act will protect and promote the abortion
55 industry, endanger women and their health, promote a political ideology of unregulated abortion-
56 on-demand, and silence the voices of Americans who want to engage in a meaningful public
57 discussion and debate over the availability, safety, and even desirability of abortion:

58

59 **Now, therefore, be it resolved** that the members of the House of

60 Representatives of the Ninety-fifth General Assembly, hereby strongly oppose the federal
61 Freedom of Choice Act and urge the United States Congress to summarily reject it; and
62

63 **Be it further resolved** that the Missouri House of Representatives strongly
64 opposes the federal Freedom of Choice Act because:

65

66 (1) It seeks to circumvent the states' general legislative authority as guaranteed by the
67 10th Amendment of the United States Constitution;

68

69 (2) It seeks to undermine the right and responsibility of the states and the people to
70 debate, vote on, and determine abortion policy; and

71

72 (3) The protection of women's health through state regulation on abortion is a compelling
73 state interest that should not be nullified by Congress;

74

75 (4) Its enactment would nullify laws in the State of Missouri that the Missouri General
76 Assembly and the people of Missouri strongly support; and

77

78 **Be it further resolved** that the Chief Clerk of the Missouri House of
79 Representatives be instructed to prepare a properly inscribed copy of this resolution for Barack
80 Obama, President of the United States; the Majority Leader and Minority Leader of the United
81 States Senate; the Majority Leader and Minority Leader of the United States House of
82 Representatives; each member of the Missouri Congressional delegation; and the Clerk of the
83 United States House of Representatives and the Secretary of the United States Senate with a
84 request that the resolution be printed in the Congressional Record.

✓