

# DECLINE TO SIGN THE ABORTION PETITION

Secretary of State Jay Ashcroft wrote truthful ballot language. He was sued by the pro-abortion petitioner. The **Ballot Summary Language** was re-written by the Courts and is reprinted here:

**TRUTH**

This petition would enshrine a “right” to abortion in our Missouri Constitution, the highest law in our state, and would prevent your state/ local government officials from establishing/enforcing regulations

**TRUTH**

Missouri’s 52+ pro-life laws (including partial-birth abortion ban, parental consent laws, health & safety standards for abortion clinics, requirement for abortion clinic to show a mother her baby’s ultrasound image) will be eliminated

**TRUTH**

This will be very limited if at all possible based on the totality of the restrictive language of the Constitutional amendment

**TRUTH**

Forces your elected officials to appropriate tax dollars to fund abortion & abortion providers

**TRUTH**

Abortions will be allowed for “physical or mental health” reasons all 9 months - from conception to live birth

**TRUTH**

Tax-dollar funded abortion / abortion providers would result in a significant loss to state and local revenues

Constitutional Amendment to Article I, Relating to Reproductive Health Care, version 10

2024-086

Submitted by: Anna Fitz-James

Anna Fitz-James  
PO Box 2187  
St. Louis, MO 63158



Official ballot title certified by Secretary of State on November 28, 2023.

## OFFICIAL BALLOT TITLE AS CERTIFIED BY SECRETARY OF STATE

Do you want to amend the Missouri Constitution to:

- establish a right to make decisions about reproductive health care, including abortion and contraceptives, with any governmental interference of that right presumed invalid;
- remove Missouri’s ban on abortion;
- allow regulation of reproductive health care to improve or maintain the health of the patient;
- require the government not to discriminate, in government programs, funding, and other activities, against persons providing or obtaining reproductive health care; and
- allow abortion to be restricted or banned after Fetal Viability except to protect the life or health of the woman?

State governmental entities estimate no costs or savings, but unknown impact. Local governmental entities estimate costs of at least \$51,000 annually in reduced tax revenues. Opponents estimate a potentially significant loss to state revenue.



# FULL LANGUAGE OF THE ABORTION AMENDMENT

NOTICE: The proposed amendment revises Article I of the Constitution by adopting one new Section to be known as Article I, Section 36.

*Be it resolved by the people of the state of Missouri that the Constitution be amended:*

Section A. Article I of the Constitution is revised by adopting one new Section to be known as Article I, Section 36 to read as follows:

Section 36. 1. This Section shall be known as “The Right to Reproductive Freedom Initiative.”

2. The Government shall not deny or infringe upon a person’s fundamental right to reproductive freedom, which is the right to make and carry out decisions about all matters relating to reproductive health care, including but not limited to prenatal care, childbirth, postpartum care, birth control, abortion care, miscarriage care, and respectful birthing conditions.

3. The right to reproductive freedom shall not be denied, interfered with, delayed, or otherwise restricted unless the Government demonstrates that such action is justified by a compelling governmental interest achieved by the least restrictive means. Any denial, interference, delay, or restriction of the right to reproductive freedom shall be presumed invalid. For purposes of this Section, a governmental interest is compelling only if it is for the limited purpose and has the limited effect of improving or maintaining the health of a person seeking care, is consistent with widely accepted clinical standards of practice and evidence-based medicine, and does not infringe on that person’s autonomous decision-making.

4. Notwithstanding subsection 3 of this Section, the general assembly may enact laws that regulate the provision of abortion after Fetal Viability provided that under no circumstance shall the Government deny, interfere with, delay, or otherwise restrict an abortion that in the good faith judgment of a treating health care professional is needed to protect the life or physical or mental health of the pregnant person.

5. No person shall be penalized, prosecuted, or otherwise subjected to adverse action based on their actual, potential, perceived, or alleged pregnancy outcomes, including but not limited to miscarriage, stillbirth, or abortion. Nor shall any person assisting a person in exercising their right to reproductive freedom with that person’s consent be penalized, prosecuted, or otherwise subjected to adverse action for doing so.

6. The Government shall not discriminate against persons providing or obtaining reproductive health care or assisting another person in doing so.

7. If any provision of this Section or the application thereof to anyone or to any circumstance is held invalid, the remainder of those provisions and the application of such provisions to others or other circumstances shall not be affected thereby.

8. For purposes of this Section, the following terms mean:

(1) “Fetal Viability”, the point in pregnancy when, in the good faith judgment of a treating health care professional and based on the particular facts of the case, there is a significant likelihood of the fetus’s sustained survival outside the uterus without the application of extraordinary medical measures.

(2) “Government”,

a. the state of Missouri; or

b. any municipality, city, town, village, township, district, authority, public subdivision or public corporation having the power to tax or regulate, or any portion of two or more such entities within the state of Missouri.