

SENATE CONCURRENT RESOLUTION NO. 11

WHEREAS, the 111th United States Congress is considering the “Freedom of Choice Act”, which purports to classify abortion as a “fundamental right”, equal in stature to the right of free speech and the right to vote - rights that, unlike abortion, are specifically enumerated in the United States Constitution; and

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

WHEREAS, the federal “Freedom of Choice Act” would nullify any federal or state law “enacted, adopted, or implemented before, on, or after the date of its enactment” and would effectively prevent the State of Missouri from enacting similar protective measures in the future; and

WHEREAS, the federal “Freedom of Choice Act” would invalidate more than 550 federal and state abortion-related laws, laws supported by the majority of the American public; and

WHEREAS, the federal “Freedom of Choice Act” would specifically invalidate the following common-sense, protective laws properly enacted by the State of Missouri:

- a parental consent law for minors seeking an abortion;
- a prohibition on government funding or use of public facilities for abortions;
- health and safety regulation for abortion facilities;
- a twenty-four-hour waiting period and informed consent law that provides an opportunity to consider the gravity of a decision to abort a child;
- a partial-birth abortion ban (“Infant's Protection Act”);
- a requirement that only physicians can perform or induce abortions and that such physicians maintain medical malpractice insurance;
- conscience protections for doctors and hospitals not wanting to perform or induce abortions;
- a prohibition on performing or inducing abortions in order to use fetal organs or tissue for transplantation or experimentation;
- licensing of most abortion clinics as ambulatory surgical centers to ensure basic health and safety of patients; and
- alternatives to abortion programs to encourage and support women who do not want abortions; and

WHEREAS, the federal “Freedom of Choice Act” will not make abortion safe or rare, but will instead actively promote and subsidize abortion with state and federal tax dollars and do nothing to ensure its safety; and

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

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, strongly oppose the federal “Freedom of Choice Act” and urge the United States Congress to summarily reject it; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly opposes the federal “Freedom of Choice Act” because it seeks to circumvent the States' general legislative authority as guaranteed by the 10th Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly opposes the federal “Freedom of Choice Act” because it seeks to undermine the right and responsibility of the states and the people to debate, vote on, and determine abortion policy; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly opposes the federal “Freedom of Choice Act” because the protection of women's health through state regulations on abortion is a compelling state interest that should not be nullified by Congress; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly opposes the federal “Freedom of Choice Act” because its enactment would nullify laws in the State of Missouri that the general assembly and the people of Missouri strongly support; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's congressional delegation, the President of the United States, the Majority Leader and the Minority Leader of the United States Senate, the Speaker and the Minority Leader of the United States House of Representatives, the Clerk of the United States House of Representatives, and the Secretary of the United States Senate with a request that the resolution be printed in the Congressional Record.

Resolution

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