

SENATE CONCURRENT RESOLUTION NO. 37

Whereas, the Constitution of the United States makes no reference to a right to an abortion and no such right exists under the Missouri Constitution; and

Whereas, *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992), serve as egregious examples of "legislating from the bench" in finding that a broad right to an abortion implicitly exists, despite the lack of such right in common law and in most state laws leading up to the *Roe* opinion; and

Whereas, the United States Supreme Court has revisited its previous decisions in *Dobbs v. Jackson Women's Health Organization* and has indicated its intent to overturn *Roe* and its line of cases, thereby recognizing the authority of the elected representatives of the states to once again settle the question of abortion according to the will of the people in accordance with the rule of law; and

Whereas, Missouri has a longstanding history from the state's earliest beginnings of recognizing abortion as the murder of an unborn child and the prohibition of such remained the law of the land until the Supreme Court's decision in *Roe*; and

Whereas, Missouri continues to recognize the importance of the right to life of an unborn child and has implemented the strongest protections for unborn life in the United States; and

Whereas, the General Assembly passed House Bill 126 in 2019 containing the "Right to Life of the Unborn Child Act", Section 188.017, which makes the knowing performance or inducement of an abortion, except in cases of medical emergency, a Class B felony; and

Whereas, Section 188.017 contains a contingent effective date reliant upon the action of the United States Supreme Court in overruling *Roe* and restoring to Missouri the authority to regulate abortion; and

Whereas, the Revisor of Statutes shall put Section 188.017 into effect in Missouri upon notification by the adoption of a concurrent resolution by the General Assembly, an opinion of the Attorney General, or a proclamation of the Governor:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundred First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby notify the Revisor of Statutes that this resolution shall serve as the General Assembly's notice pursuant to the provisions of Section 188.017 that the provisions of such section shall become effective upon the issuance by the United States Supreme Court of the *Dobbs* opinion overruling *Roe v. Wade*, 410 U.S. 113 (1973); and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Revisor of Statutes.