

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 71

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

5668S.011

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to reproductive health care.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2026, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article I of the
7 Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended
2 by adding thereto one new section, to be known as section 36(a),
3 to read as follows:

Section 36(a). 1. Notwithstanding any provision of
2 **Section 36 of Article I of the Constitution of Missouri to**
3 **the contrary:**

4 (1) No abortion shall be performed or induced upon a
5 woman, except in cases of medical emergency;

6 (2) No gender transition surgeries shall be knowingly
7 performed on children under eighteen years of age and no
8 cross-sex hormones or puberty-blocking drugs shall be
9 knowingly prescribed or administered for the purpose of
10 gender transition to children under eighteen years of age.

11 The provisions of this section shall not apply to the use of

12 such surgeries, drugs, or hormones to treat children born
13 with a medically verifiable disorder of sex development or
14 to treat any infection, injury, disease, or disorder
15 unrelated to the purpose of a gender transition; and

16 (3) The right to reproductive freedom shall not be
17 construed to exempt any person, firm, or corporation from
18 civil liability for medical malpractice, negligence, or
19 wrongful death.

20 2. The general assembly shall have the authority to
21 enact laws to carry out the provisions of this section.

22 3. As used in this section, the following terms mean:

23 (1) "Cross-sex hormones", testosterone, estrogen, or
24 other androgens given to an individual in amounts that are
25 greater or more potent than would normally occur naturally
26 in a healthy individual of the same age and sex;

27 (2) "Gender transition surgery", a surgical procedure
28 performed for the purpose of assisting an individual with
29 identifying with and living as a gender different from his
30 or her biological sex;

31 (3) "Medical emergency", a condition which, based on
32 reasonable medical judgment, so complicates the medical
33 condition of a pregnant woman as to necessitate the
34 immediate abortion of her pregnancy to avert the death of
35 the pregnant woman or for which a delay will create a
36 serious risk of substantial and irreversible physical
37 impairment of a major bodily function of the pregnant woman;

38 (4) "Puberty-blocking drugs", gonadotropin-releasing
39 hormone analogues or other synthetic drugs used to stop
40 luteinizing hormone secretion and follicle stimulating
41 hormone secretion, synthetic antiandrogen drugs to block the
42 androgen receptor, or any other drug used to delay or

43 **suppress pubertal development in children for the purpose of**
44 **assisting an individual with a gender transition.**

Section B. Pursuant to chapter 116, and other
2 applicable constitutional provisions and laws of this state
3 allowing the general assembly to adopt ballot language for
4 the submission of this joint resolution to the voters of
5 this state, the official summary statement of this
6 resolution shall be as follows:

7 "Shall the Missouri Constitution be amended to:
8 • Prohibit surgeries, hormones, and drugs used
9 on children for gender transitions;
10 • Permit abortions only in cases of medical
11 emergencies; and
12 • Guarantee the right to reproductive health
13 care does not limit liability for malpractice,
14 negligence, or wrongful death?".

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