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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 803 Session of  
2023

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INTRODUCED BY OTTEN, HANBIDGE, MADDEN, SANCHEZ, PIELLI, RABB,  
GUENST, KINSEY, BENHAM, BOYLE, SCHLOSSBERG, D. WILLIAMS,  
CONKLIN, VITALI, FIEDLER, HOHENSTEIN, KRAJEWSKI, HILL-EVANS,  
FLEMING, KINKEAD, FRANKEL, SHUSTERMAN, N. NELSON AND CERRATO,  
APRIL 3, 2023

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REFERRED TO COMMITTEE ON HEALTH, APRIL 3, 2023

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, providing for personal reproductive liberty.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby resolves as follows:

5 Section 1. The following amendment to the Constitution of  
6 Pennsylvania is proposed in accordance with Article XI:

7 That Article I be amended by adding a section to read:

8 § 30. Personal reproductive liberty.

9 Every individual has the fundamental right to exercise  
10 personal reproductive liberty and make and effectuate decisions  
11 regarding the individual's own reproduction, including the  
12 ability to choose or refuse to prevent, continue or end the  
13 individual's pregnancy, the right to choose or refuse  
14 contraceptives and the right to choose or refuse fertility care,  
15 all without discrimination on the basis of race, age,  
16 disability, sex, sexual orientation, gender identity, religion

1 or relationship status. The Commonwealth may not deny, burden,  
2 infringe upon or abridge this right unless justified by a  
3 compelling State interest achieved by the least restrictive  
4 means.

5 Section 2. The following procedure applies to the proposed  
6 constitutional amendment in this joint resolution:

7 (1) Upon the first passage by the General Assembly of  
8 the amendment, the Secretary of the Commonwealth shall  
9 proceed immediately to comply with the advertising  
10 requirements of section 1 of Article XI of the Constitution  
11 of Pennsylvania.

12 (2) Upon the second passage by the General Assembly of  
13 the amendment, the Secretary of the Commonwealth shall  
14 proceed immediately to comply with the advertising  
15 requirements of section 1 of Article XI of the Constitution  
16 of Pennsylvania. The Secretary of the Commonwealth shall  
17 submit the amendment to the qualified electors of this  
18 Commonwealth at the first primary, general or municipal  
19 election which meets the requirements of section 1 of Article  
20 XI of the Constitution of Pennsylvania.