

## House Concurrent Resolution No. 5029

Representatives Garber, Billinger, Boman, Calloway, Collins, Crum, Fawcett, Goico, Goodman, Gregory, Hayzlett, Hedke, Hoffman, Howell, Huebert, Knox, LeDoux, Mesa, O'Brien, Otto, Peck, Powell, Scapa, Seiwert and Wetta

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1 A PROPOSITION to amend section 1 of the bill of rights of the  
2 constitution of the state of Kansas, relating to equal rights.  
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4 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
5 *members elected (or appointed) and qualified to the House of*  
6 *Representatives and two-thirds of the members elected (or appointed)*  
7 *and qualified to the Senate concurring therein:*

8 Section 1. The following proposition to amend the constitution of the  
9 state of Kansas shall be submitted to the qualified electors of the state for  
10 their approval or rejection: Section 1 of the bill of rights of the constitution  
11 of the state of Kansas is hereby amended to read as follows:

12 "**§ 1. Equal rights.** All men are possessed of equal and inalienable  
13 natural rights, among which are life, liberty, and the pursuit of happiness.  
14 *Recognizing the authority of the state of Kansas to exercise its police*  
15 *power and its sovereign right to adopt individual liberties in the*  
16 *constitution of the state of Kansas more expansive than those conferred by*  
17 *the constitution of the United States, the state of Kansas shall hereby*  
18 *guarantee the inalienable rights, equal protection and due process of law*  
19 *of every human being from the beginning of the biological development of*  
20 *that human being, including fertilization."*

21 Sec. 2. The following statement shall be printed on the ballot with the  
22 amendment as a whole:

23 "*Explanatory statement.* The purpose of this amendment is to expand  
24 the class of human beings that currently enjoy inalienable rights, equal  
25 protection, and due process of the law under the constitution of the state of  
26 Kansas to every human being from the beginning of the biological  
27 development of that human being, including fertilization.

28 "A vote for this proposition would amend the Kansas constitution to  
29 explicitly incorporate into it the inalienable right to life of every human  
30 being irrespective of age, race, gender, health, function, condition of  
31 dependency, including physical or mental dependency, or method of  
32 reproduction, from the beginning of their biological development,  
33 including fertilization. The proposed constitutional amendment also would  
34 prohibit the state from discriminating against any class of human beings in

1 the application, interpretation and enforcement of its laws.

2 "A vote against this proposition would not amend the constitution, in  
3 which case the current federally mandated legal status of preborn humans  
4 would remain that of a class of human beings that can intentionally be  
5 killed."

6 Sec. 3. This resolution, if approved by two-thirds of the members  
7 elected (or appointed) and qualified to the House of Representatives and  
8 two-thirds of the members elected (or appointed) and qualified to the  
9 Senate shall be entered onto the journals, together with the yeas and nays.  
10 The secretary of state shall cause this resolution to be published as  
11 provided by law and shall cause the proposed amendment to be submitted  
12 to the electors at the primary election in the year 2012.

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