

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 731

(SENATE AUTHORS: MCEWEN)

DATE
02/08/2021

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OFFICIAL STATUS
Introduction and first reading
Referred to Health and Human Services Finance and Policy

1.1 A bill for an act
1.2 relating to health; establishing reproductive health rights; proposing coding for
1.3 new law in Minnesota Statutes, chapter 145A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[145.409] REPRODUCTIVE HEALTH.**

1.6 Subdivision 1. **Short title.** This section may be cited as the "Protect Reproductive Options
1.7 Act."

1.8 Subd. 2. **Reproductive health rights.** Every individual has a fundamental right to make
1.9 autonomous decisions about the individual's own reproductive health. Every individual has
1.10 the fundamental right to:

1.11 (1) choose or refuse reproductive health care;

1.12 (2) choose or refuse contraception or sterilization; and

1.13 (3) choose to continue a pregnancy and give birth to a child, or choose to obtain an
1.14 abortion.

1.15 Subd. 3. **Right to privacy recognized.** Every individual has a fundamental right of
1.16 privacy with respect to personal reproductive decisions. The state shall not deny, restrict,
1.17 or interfere with an individual's autonomous decision to exercise their fundamental
1.18 reproductive health rights under subdivision 1.

1.19 Subd. 4. **Fertilized egg, embryo, or fetus.** A fertilized egg, embryo, or fetus does not
1.20 have independent rights under the laws of this state.

2.1 Subd. 5. **Interference with reproductive decision-making prohibited.** The state shall
2.2 not:

2.3 (1) in the regulation or provision of benefits, facilities, services, or information, deny,
2.4 restrict, or interfere with an individual's fundamental reproductive health rights in subdivision
2.5 2, including individuals under state custody, control, or supervision;

2.6 (2) discriminate in the protection or enforcement of the fundamental rights in subdivision
2.7 2 on the basis of sex, gender identity or expression, perceived gender identity or expression,
2.8 sexual orientation, disability, race, ethnicity, age, national origin, immigration status, or
2.9 religion; and

2.10 (3) prosecute, nor deprive the rights of any individual for, any act or failure to act during
2.11 their own pregnancy based on the potential or actual impact on their own health or pregnancy.

2.12 Subd. 6. **Civil action.** An individual aggrieved by a violation of this section may obtain
2.13 appropriate relief in a civil action.

2.14 Subd. 7. **Severability.** If any provision of this section, or the application of a provision
2.15 to any person or circumstance, is held to be unconstitutional, the remainder of this section,
2.16 or the application of a provision to any person or circumstance, other than those to which
2.17 the provision is held to be unconstitutional, shall not thereby be affected.

2.18 Subd. 8. **Rule of construction.** This section applies to every state statute, ordinance,
2.19 regulation, administrative order, decision, policy, practice, or other action enacted, adopted,
2.20 or implemented before, on, or after August 1, 2021.