

HOUSE BILL NO. 302

INTRODUCED BY G. DEVRIES, B. BEARD, B. BROWN, T. BURNETT, A. DOANE, D. DUNN, N. DURAM,  
J. FULLER, R. GARCIA, C. GLIMM, S. GREEF, C. KNUDSEN, R. KNUDSEN, T. MANZELLA, M. NOLAND,  
J. READ, A. REDFIELD, D. SKEES, P. WEBB

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN  
AMENDMENT TO ARTICLE II, SECTION 17, OF THE MONTANA CONSTITUTION DEFINING "PERSON" TO  
INCLUDE ALL MEMBERS OF MANKIND AT ANY STAGE OF DEVELOPMENT; AND PROVIDING AN  
EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article II, section 17, of The Constitution of the State of Montana is amended to read:

**"Section 17. Due process of law.** (1) No person shall be deprived of life, liberty, or property without  
due process of law.

(2) As used in this section, the word "person" applies to all members of mankind at any stage of  
development, beginning at the stage of fertilization or conception, regardless of age, health, level of functioning,  
or condition of dependency.

(3) No cause of action shall arise as a consequence of harm caused to an unborn baby by an  
unintentional act of its mother.

(4) The legislature shall implement this section by appropriate legislation."

**NEW SECTION. Section 2. Severability.** If a part of [this act] is invalid, all valid parts that are severable  
from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part  
remains in effect in all valid applications that are severable from the invalid applications.

**NEW SECTION. Section 3. Two-thirds vote required.** Because [section 1] is a legislative proposal  
to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote  
of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

