

By: Fallon

H.J.R. No. 49

A JOINT RESOLUTION

1 proposing a constitutional amendment guaranteeing the right to life  
2 of unborn children and prohibiting abortion to the fullest extent  
3 possible under law.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 19, Article I, Texas Constitution, is  
6 amended to read as follows:

7 Sec. 19. (a) No citizen of this State shall be deprived of  
8 life, liberty, property, privileges or immunities, or in any manner  
9 disfranchised, except by the due course of the law of the land.

10 (b) With respect to the right to life described by  
11 Subsection (a) of this section, the term "citizen" includes each  
12 member of the species Homo sapiens at each stage of life, including  
13 the moment of fertilization or other moment at which a member of the  
14 human species begins to develop.

15 (c) The right to life guaranteed by this section is vested  
16 in each member of the human species, born and unborn.

17 (d) This section may not be construed to:

18 (1) require the prosecution of a woman for the death of  
19 her unborn child;

20 (2) prohibit in vitro fertilization; or

21 (3) prohibit the use of birth control or other means of  
22 preventing fertilization.

23 (e) To the fullest extent possible under law, abortion is  
24 prohibited in this state, except that an abortion may be performed

1 on a woman who:

2 (1) suffers from a life-threatening physical  
3 condition aggravated by, caused by, or arising from a pregnancy  
4 that, as certified by a physician, places the woman in danger of  
5 death or a serious risk of substantial impairment of a major bodily  
6 function unless an abortion is performed; or

7 (2) is pregnant as a result of an act of rape or  
8 incest.

9 SECTION 2. This proposed constitutional amendment shall be  
10 submitted to the voters at an election to be held November 7, 2017.  
11 The ballot shall be printed to provide for voting for or against the  
12 proposition: "The constitutional amendment guaranteeing the right  
13 to life of unborn children and prohibiting abortion to the fullest  
14 extent possible under law."