



General Assembly

**Senate Joint
Resolution No. 42**

January Session, 2023

LCO No. 6036



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**RESOLUTION PROPOSING A STATE CONSTITUTIONAL
AMENDMENT CONCERNING A RIGHT TO PRIVACY.**

Resolved by this Assembly:

1 That the following be proposed as an amendment to the Constitution
2 of the State, which, when approved and adopted in the manner
3 provided by the Constitution, shall, to all intents and purposes, become
4 a part thereof:

5 Article first of the Constitution is amended by adding section 21 as
6 follows:

7 Sec. 21. The right of individual privacy is essential to the well-being
8 of a free society and shall not be infringed without the showing of a
9 compelling state interest. Such right shall include, but not be limited to,
10 the fundamental right to reproductive freedom, including, but not
11 limited to, the ability to make and effectuate decisions to prevent,
12 continue or end one's own pregnancy. The state may not, directly or
13 indirectly, deny, burden or abridge such right unless justified by a
14 compelling state interest achieved by the least restrictive means. This

15 section is intended to further the constitutional right to not be denied
16 equal protection guaranteed by Section 20 of this article and is not a
17 limitation on such right.

18 RESOLVED: That the foregoing proposed amendment to the
19 Constitution be continued to the next session of the General Assembly
20 elected at the general election to be held on November 5, 2024, and
21 published with the laws passed at the present session, or be presented
22 to the electors at the general election to be held on November 5, 2024,
23 whichever the case may be, according to article sixth of the amendments
24 to the Constitution. The designation of said proposed amendment to be
25 used on the ballots at such election shall be "Shall the Constitution of the
26 State be amended to recognize a right to individual privacy and to
27 prohibit the state from infringing such right without showing a
28 compelling state interest?"