

Constitutional Amendment: Abortion Ban & Fetal Personhood

[HJR 53](#) - [Rep. Moon](#) (R-157, Ash Grove)

This extreme, unconstitutional measure would ban abortion and common forms of contraception.

House Joint Resolution 53 is an extreme measure that would ban abortion entirely in Missouri, including in cases of rape, incest and when the health of the pregnant person is in danger. It would also ban emergency contraception and commonly used birth control methods, like the pill and the IUD. It declares the legal "personhood" of embryos and grants embryos rights that would supersede those of pregnant people.

Personhood measures have extreme and dangerous consequences.

- This bill is designed solely to criminalize abortion, including for victims of rape and incest, and in life-threatening emergencies.
- Declaring an embryo to be a full legal person would ban common forms of birth control, like the pill and the IUD, as well as emergency contraception.
- This measure could prevent a person with a life-threatening pregnancy from getting the health care they need.

These restrictions do not meet the U.S. Supreme Court's new standard.

- It is important for legislators and the public to know that last summer's landmark U.S. Supreme Court decision in *Whole Woman's Health v. Hellerstedt* established a much clearer legal standard that abortion restrictions must meet: the benefit of a given abortion restriction must outweigh the burden it imposes.
- This new standard applies to any and all abortion restrictions, whether it's a TRAP law, a restriction on a certain medical procedure, or a restriction on the health care professionals who provide reproductive health care. The state cannot place any burden on access to abortion without a legitimate reason, and even if there is such a reason, the courts are now responsible for balancing that justification with the restriction of access.
- Given the clear standard set in *Whole Woman's Health*, considering medically unnecessary and unconstitutional restrictions is a poor use of legislative time and state resources. Such measures do not protect patients' health and safety and they will lead to costly taxpayer-funded legal battles.

States across the country have rejected personhood measures time and again.

- Voters in Colorado, Mississippi, and North Dakota have all rejected personhood measures similar to HJR 53 as too extreme.