

1 SB404
2 114796-2
3 By Senator Means (Constitutional Amendment)
4 RFD: Economic Expansion and Trade
5 First Read: 11-FEB-10

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, an abortion may be
9 performed under certain circumstances.

10 This bill would propose a constitutional
11 amendment that would prohibit an abortion for any
12 reason except in an extreme case where the
13 pregnancy threatens the life of the mother or where
14 there is rape or incest and would provide a penalty
15 for a violation of this amendment.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To propose an amendment to the Constitution of
22 Alabama of 1901, to prohibit abortion except in an extreme
23 case where the pregnancy threatens the life of the mother or
24 where there is rape or incest; and to provide a penalty for a
25 violation of this amendment.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The following amendment to the
2 Constitution of Alabama of 1901, as amended, is proposed and
3 shall become valid as a part thereof when approved by a
4 majority of the qualified electors voting thereon and in
5 accordance with Sections 284, 285, and 287 of the Constitution
6 of Alabama of 1901, as amended:

7 PROPOSED AMENDMENT

8 Except in an extreme case of medical emergency where
9 the life of the mother is threatened by the pregnancy or where
10 there is rape or incest, any person, other than the mother,
11 who causes or participates in the abortion of an unborn child
12 shall be guilty of a Class B felony.

13 Section 2. An election upon the proposed amendment
14 shall be held in accordance with Sections 284 and 285 of the
15 Constitution of Alabama of 1901, now appearing as Sections 284
16 and 285 of the Official Recompilation of the Constitution of
17 Alabama of 1901, as amended, and the election laws of this
18 state.

19 Section 3. The appropriate election official shall
20 assign a ballot number for the proposed constitutional
21 amendment on the election ballot and shall set forth the
22 following description of the substance or subject matter of
23 the proposed constitutional amendment:

24 "Proposing an amendment to the Constitution of
25 Alabama of 1901, to prohibit abortion except in an extreme
26 case where the pregnancy threatens the life of the mother or

1 where there is rape or incest; and to provide a penalty for a
2 violation of this amendment.

3 "Proposed by Act _____."

4 This description shall be followed by the following
5 language:

6 "Yes () No ()."