



Written by [Raven Clabough](#) on March 12, 2020

Kentucky House Advances Pro-life Constitutional Amendment

The Kentucky House has approved legislation that affirms there is no “right to abortion” in the state constitution, bringing it one step closer to appearing on the November ballot for voters’ approval. Lawmakers are hopeful the amendment would guard against judicial overreach.

Kentucky’s House Bill 67 passed the House with bipartisan support, 72-21, WKYU Radio reports. While some Democratic lawmakers opposed the legislation, others, such as Representative Terri Branham Clark, contend the amendment is necessary to protect the unborn.



If HB 67 passes the Senate, voters will be able to vote on a ballot initiative in November, which would pose the following question: “Are you in favor of amending the Constitution of Kentucky by creating a new Section of the Constitution to be numbered Section 26A to state as follows: To protect human life, nothing in this Constitution shall be construed to secure or protect a right to abortion or require the funding of abortion?”

If the amendment is approved by voters in November, the following language would be added to the Kentucky Constitution: “To protect human life, nothing in this Constitution shall be construed to secure or protect a right to abortion or require the funding of abortion.”

Proponents contend the amendment will protect Kentucky’s unborn from overzealous courts.

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“Let’s not allow our state courts to invent a new right to an abortion and to invalidate our state laws protecting unborn children that have already been upheld in federal court,” Representative Joseph Fischer told lawmakers Tuesday before the vote.

As noted by Life News, such amendments offer vital protections to the unborn “because the abortion industry often turns to the courts to overturn pro-life laws,” adding, “and these decisions have been used to force taxpayers to fund abortions and restrict state legislatures from passing even minor, common sense abortion restrictions.” Life News cites West Virginia as a prime example.

“West Virginia voters [passed a similar state constitutional amendment in 2018](#) after decades of being forced by a court ruling to fund elective abortions with taxpayer dollars,” Life News reports.

As such, the following language will be added to West Virginia’s constitution: “Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion.”

Iowa’s Supreme Court found a “right to abortion” in the state’s constitution in 2018, prompting the Iowa Senate to pass a constitutional amendment similar to that being proposed in Kentucky in February.



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The amendment must pass the state legislature and then be approved by voters on the ballot in order to be added to the constitution, Life News reports.

In 2019, the Kansas Supreme Court found a so-called “right to abortion in the state’s constitution, prompting Republicans to propose a constitutional amendment similar to that proposed in Kentucky. The Kansas House narrowly failed to pass the amendment after four Republicans failed to vote in its favor. Though the measure won the majority of the House by an 80-43 vote, the amendment could not pass without a two-thirds majority vote, which required 84 of the 125-member chamber to vote in its favor, *The Hill* reported at the time.

Louisiana voters will also have the opportunity to amend their constitution in November after the legislature passed the Love Life Amendment, which asks voters to vote on whether they would like to add language to the constitution that states there is no right to an abortion or taxpayer funding for abortions. Louisiana’s proposed amendment was sponsored by State Representative Katrina Jackson, a pro-life Democrat.

Benjamin Clapper, executive director of Louisiana Right to Life, contends the measure is an invaluable protection against activist judges.

“The Supreme Courts of 12 other states (as recently as 2018 in Iowa) have found a right to abortion in their state constitutions, striking down common-sense pro-life laws in the short term and ensuring abortion-on-demand in their states even if *Roe v. Wade* is overturned,” Clapper said. “We cannot let that happen in Louisiana. By passing the Love Life Amendment we can place our pro-life values of respecting every human life at the heart of our state.”

Raven Clabough acquired her bachelor’s and master’s degrees in English at the University of Albany in upstate New York. She currently lives in Pennsylvania and has been a writer for The New American since 2010.



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