

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 909

Short Title: Protect Women's Healthcare. (Public)

Sponsors: Senator Hunt (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 16, 2024

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROTECT
WOMEN'S HEALTHCARE.

The General Assembly of North Carolina enacts:

SECTION 1. Article I of the North Carolina Constitution is amended by adding a
new section to read:

"Sec. 39. Abortion.

The State shall not restrict a woman's right to decide to have an abortion. Additionally, the State shall not restrict access to contraception, fertility treatment, continuing one's own pregnancy, or miscarriage care. The State may restrict the ability of a woman to choose whether or not to terminate a pregnancy after fetal viability, unless such a termination is necessary to preserve the life or health of the woman, or enact laws, rules, or regulations, as applicable, to further the health or safety of a woman seeking to terminate a pregnancy. For the purposes of this Section, the term "undue burden" means any burden that places a substantial obstacle in the path of a woman seeking to terminate a pregnancy prior to fetal viability. Nothing in this Section shall be construed to have any effect on laws regarding conscience protection."

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the general election in 2024, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[] FOR [] AGAINST

Constitutional amendment to recognize the right to abortion, contraception, fertility treatment, continuing one's own pregnancy, or miscarriage care."

SECTION 3. If a majority of votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State, and the amendment becomes effective January 1, 2025. The Secretary of State shall enroll the amendment so certified among the permanent records of that office.

SECTION 4. Except as otherwise provided, this act is effective when it becomes law.



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