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8 HJR _____ OPPOSING THE FEDERAL "FREEDOM OF CHOICE ACT."
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10 WHEREAS, the "Freedom of Choice Act," which purports
11 to classify abortion as a "fundamental right," equal in
12 stature to the right to free speech and the right to vote,
13 rights that, unlike abortion, are specifically enumerated in
14 the United States Constitution; and

15 WHEREAS, the federal "Freedom of Choice Act" would
16 invalidate any "statute, ordinance, regulation, administrative
17 order, decision, policy, practice, or other action" of any
18 federal, state, or local government or governmental official,
19 or any person acting under government authority, that would
20 "deny or interfere with a woman's right to choose" abortion,
21 or that would "discriminate against the exercise of the right
22 . . . in the regulation or provision of benefits, facilities,
23 services, or information"; and

24 WHEREAS, the federal "Freedom of Choice Act" would
25 nullify any federal or state law "enacted, adopted, or
26 implemented before, on, or after the date of [its] enactment"

1 and would effectively prevent the State of Alabama from
2 enacting similar protective measures in the future; and

3 WHEREAS, the federal "Freedom of Choice Act" would
4 invalidate more than 550 federal and state abortion-related
5 laws, laws supported by the majority of the American public;
6 and

7 WHEREAS, the federal "Freedom of Choice Act" would
8 specifically invalidate the following common-sense, protective
9 laws properly enacted by the State of Alabama:

10 Chapter 21, commencing with Section 26-21-1, of
11 Title 26 of the Code of Alabama 1975, entitled, "Parental
12 Consent to Performing Abortion Upon Minor," requiring minor
13 girls under the age of 18 years to have the consent of one
14 parent or approval of a court to obtain an abortion. This
15 statute has been successful in helping young girls make life
16 changing decisions while improving their standard of health
17 care.

18 Chapter 22, commencing with Section 26-22-1, of
19 Title 26 of the Code of Alabama 1975, entitled, "Abortion of
20 Viable Unborn Child," which is prohibited. This statute
21 criminalizes aborting a child who would be able to live
22 outside the mother's womb. Without this statute, there would
23 be no restriction in the State of Alabama upon when abortions
24 may be performed, including up to the moment of a natural full
25 term birth.

26 Chapter 23A, commencing with Section 26-23A-1, of
27 Title 26 of the Code of Alabama 1975, entitled, "The Woman's

1 Right to Know Act." This statute requires women to be given
2 certain medical information upon which they can make an
3 informed decision about whether to have an abortion. This
4 statute has significantly improved the standard of women's
5 health care at abortion clinics.

6 Section 13A-13-7 of the Code of Alabama 1975,
7 entitled, "Inducing or Attempting to Induce Abortion,
8 Miscarriage, or Premature Delivery of Woman," which is
9 prohibited. This criminal statute has never been repealed,
10 though it is presently unenforceable under current U.S.
11 Supreme Court precedent; and

12 WHEREAS, the federal "Freedom of Choice Act" will
13 not make abortion safe or rare, but will instead actively
14 promote and subsidize abortion with state and federal tax
15 dollars and do nothing to ensure its safety; and

16 WHEREAS, the federal "Freedom of Choice Act" will
17 protect and promote the abortion industry, sacrifice women and
18 their health to a radical political ideology of unregulated
19 abortion-on-demand, and silence the voices of everyday
20 Americans who want to engage in a meaningful public discussion
21 and debate over the availability, safety, and even
22 desirability of abortion; now therefore,

23 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
24 HOUSES THEREOF CONCURRING, That:

25 1. We strongly oppose the federal "Freedom of Choice
26 Act," and urge the United States Congress to summarily reject
27 it.

1 2. We strongly oppose the federal "Freedom of Choice
2 Act" because it seeks to circumvent the states' general
3 legislative authority as guaranteed by the 10th Amendment to
4 the U.S. Constitution.

5 3. We strongly oppose the federal "Freedom of Choice
6 Act" because it seeks to undermine the right and
7 responsibility of the states and the people to debate, vote
8 on, and determine abortion policy.

9 4. We strongly oppose the federal "Freedom of Choice
10 Act" because the protection of women's health through state
11 regulations on abortion is a compelling state interest that
12 should not be nullified by Congress.

13 5. We strongly oppose the federal "Freedom of Choice
14 Act" because its enactment would nullify four laws in the
15 State of Alabama, laws that the Legislature and the people of
16 Alabama strongly support.

17 BE IT FURTHER RESOLVED, That a copy of this
18 resolution be transmitted by the Clerk of the House of
19 Representatives to the President of the United States,
20 President of the United States Senate, Speaker of the United
21 States House of Representatives, and each member of Alabama's
22 U.S. Congressional Delegation so that our sentiments
23 concerning this matter are known.