

HOUSE BILL NO. 316

INTRODUCED BY L. DEMING, L. SCHUBERT, M. NIKOLAKAKOS, S. KLAKKEN, G. OVERSTREET, T. SHARP, E. TILLEMANN, T. MANZELLA, C. HINKLE, R. MARSHALL, A. REGIER, S. VINTON, B. LER, R. MINER, J. ETCHART, F. NAVE, B. USHER, J. GILLETTE, L. BREWSTER, N. DURAM, G. KMETZ, F. MANDEVILLE, K. SEEKINS-CROWE, Z. WIRTH, J. HINKLE, B. PHALEN

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II, SECTION 17, OF THE MONTANA CONSTITUTION DEFINING "PERSON" TO INCLUDE ALL MEMBERS OF MANKIND AT ANY STAGE OF DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Article II, section 17, of The Constitution of the State of Montana is amended to read:

"Section 17. Due process of law. (1) No person shall be deprived of life, liberty, or property without due process of law.

(2) As used in this section, the word "person" applies to all members of mankind at any stage of development, beginning at the stage of fertilization or conception, regardless of age, health, level of functioning, or condition of dependency.

(3) No cause of action may arise as a consequence of harm caused to an unborn baby by an unintentional act of its mother.

(4) The legislature shall implement this section by appropriate legislation."

NEW SECTION. Section 2. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 3. Two-thirds vote required. Because [section 1] is a legislative proposal

1 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
2 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

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4 NEW SECTION. **Section 4. Effective date.** [This act] is effective upon approval by the electorate.

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6 NEW SECTION. **Section 5. Submission to electorate.** [This act] shall be submitted to the qualified
7 electors of Montana at the general election to be held in November 2026 by printing on the ballot the full title of
8 [this act] and the following:

9 ☐ YES on Constitutional Amendment ____.

10 ☐ NO on Constitutional Amendment ____.

11 - END -