

2024 Abortion State Ballot Measure

MISSOURI

Abortion Limit Under Current Law:

Abortion Banned



Missouri Amendment 3:

The Right to Reproductive Freedom Initiative

Summary:

- Citizen initiated measure to amend the state constitution to:
 - Protect reproductive freedom and ability to make and effectuate decisions around all aspects of reproductive health
 - Provide the right to abortion up to fetal viability
 - Protect pregnant persons from any adverse action for miscarriage, stillbirth, or abortion
 - Protect persons assisting a pregnant person from any adverse action related to reproductive freedom
 - Provide the state legislature the ability to create laws that regulate abortion after fetal viability
 - But, the state cannot interfere with abortions post-viability if determined necessary by the treating health care professional to protect the life or health of the pregnant person

Needs greater than 50% of votes to pass

- **YES vote means:** Supporting the amendment to the state constitution to provide the right of reproductive freedom which includes making and carrying out decisions including for prenatal care, childbirth, postpartum care, birth control, abortion care, miscarriage care, and respectful birthing conditions. Supporting the amendment also allows the state to create laws around abortion post-viability.
- **NO vote means:** Opposes the amendment therefore the right of reproductive freedom would not be added to the constitution and state legislature would not be able to create laws to regulate abortion post-viability.

[Complete Ballot Text:](#)

Section A. Article 1 of the Constitution is revised by adopting one new Section to be known as Article 1, Section 36 to read as follows:

1. Section 36.1. This Section shall be known as “The Right to Reproductive Freedom Initiative.”
2. The Government shall not deny or infringe upon a person’s fundamental right to reproductive freedom, which is the right to make and carry out decisions about all matters relating to reproductive health care, including but not limited to prenatal care, childbirth, postpartum care, birth control, abortion care, miscarriage care, and respectful birthing conditions.
3. The right to reproductive freedom shall not be denied, interfered with, delayed, or otherwise restricted unless the Government demonstrates that such action is justified by a compelling governmental interest achieved by the least restrictive means. ANY denial, interference, delay, or restriction of the right to reproductive freedom shall be presumed invalid. For purposes of this Section, a governmental interest is compelling only if it is for the limited purpose and has the limited effect of improving or maintaining the health of a person seeking care, is consistent with widely accepted clinical standards of practice and evidence-based medicine, and does not infringe on that person’s autonomous decision-making.
4. Notwithstanding subsection 3 of this Section, the general assembly may enact laws that regulate the provision of abortion after Fetal Viability provided that under no circumstance shall the Government deny, interfere with, delay, or otherwise restrict an abortion that in the good faith judgment of a treating health care professional is needed to protect the life or physical or mental health of the pregnant person.
5. No person shall be penalized, prosecuted, or otherwise subjected to adverse action based on their actual, potential, perceived, or alleged pregnancy outcomes, including but not limited to miscarriage, stillbirth, or abortion. Nor shall any person assisting a person in exercising their right to reproductive freedom with that person’s consent be penalized, prosecuted, or otherwise subjected to adverse action for doing so.
6. The Government shall not discriminate against persons providing or obtaining reproductive health care or assisting another person in doing so.
7. If any provision of this Section or the application thereof to anyone or to any circumstance is held invalid, the remainder of those provisions and the application of such provisions to others or other circumstances shall not be affected thereby.
8. For the purposes of this Section, the following terms mean:
 - a. “Fetal Viability”, the point in pregnancy when, in the good faith judgment of a treating health care professional and based on the particular facts of the case, there is significant likelihood of the fetus’s sustained survival outside the uterus without the application of extraordinary medical measures.
 - b. “Government”,
 - i. The state of Missouri; or
 - ii. Any municipality, city, town, village, township, district, authority, public subdivision or public corporation having the power to tax or regulate, or any portion of two or more such entities within the state of Missouri.

Resources:

- [Learn more about abortion policies in Missouri](#)
- [Learn more about the Missouri Ballot](#)
- [See KFF Ballot Tracker](#)
- [Get & Share the Facts on How Pregnancies Really Develop](#)

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