

## HOUSE BILL NO. 490

INTRODUCED BY W. WARBURTON

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

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

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11 **Section 1.** Article II, section 17, of The Constitution of the State of Montana is amended to read:  
12 **"Section 17. Due process of law.** (1) No person shall be deprived of life, liberty, or property without  
13 due process of law.

14 (2) As used in this section, the word "person" applies to all members of the species Homo sapiens at  
15 any stage of development, including the stage of fertilization or conception, regardless of age, health, level of  
16 functioning, or condition of dependency.

17 (3) The legislature shall implement this section by appropriate legislation."  
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19 NEW SECTION. Section 2. Saving clause. [This act] does not affect rights and duties that matured,  
20 penalties that were incurred, or proceedings that were begun before [the effective date of this act].

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22 NEW SECTION. Section 3. Severability. If a part of [this act] is invalid, all valid parts that are severable  
23 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part  
24 remains in effect in all valid applications that are severable from the invalid applications.

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26 NEW SECTION. Section 4. Two-thirds vote required. Because [section 1] is a legislative proposal  
27 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote  
28 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

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30 NEW SECTION. Section 5. Effective date. [This act] is effective upon approval by the electorate.

