

1 HOUSE BILL NO. 302

2 INTRODUCED BY G. DEVRIES

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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 MANKIND AT ANY STAGE OF DEVELOPMENT; AND PROVIDING AN
7 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 mankind at any stage of
15 development, beginning at the stage of fertilization or conception, regardless of age, health, level of functioning,
16 or condition of dependency.17 (3) No cause of action shall arise as a consequence of harm caused to an unborn baby by an
18 unintentional act of its mother.19 (4) The legislature shall implement this section by appropriate legislation."

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

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25 NEW SECTION. **Section 3. Two-thirds vote required.** Because [section 1] is a legislative proposal
26 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
27 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

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

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