

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2019

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HOUSE JOINT RESOLUTION 627*

Sponsors: Representatives McElraft, Howard, Grange, and Stevens (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 9, 2019

1 A JOINT RESOLUTION RESPONDING TO NEW YORK'S BARBARIC
2 ABORTION/INFANTICIDE LAW

3 Whereas, the New York State Legislature recently passed the so-called "Reproductive
4 Health Act" (RHA), which is an extreme abortion-on-demand policy that establishes an
5 unfettered right to abortion and goes beyond the protections guaranteed by *Roe v. Wade*; and

6 Whereas, the RHA expressly states that it is the policy of the State of New York that
7 every individual who becomes pregnant has the fundamental right to choose to have an abortion;
8 and

9 Whereas, this fundamental right to choose to have an abortion may in the future
10 restrict any communications deemed to interfere with a woman's right to decide whether to have
11 an abortion, compel the performance of abortions by health care practitioners who object to this
12 extreme abortion-on-demand policy, and further restrict pro-life efforts to save the lives of
13 unborn children; and

14 Whereas, under the RHA, any reasonable restriction on abortion, including a
15 restriction the Supreme Court has already upheld under *Roe v. Wade* as constitutional, would be
16 prohibited, and this is contrary to the intent expressed in the RHA "to prevent the enforcement
17 of laws or regulations... that burden abortion access."; and

18 Whereas, until the RHA authorized abortion up until the moment of birth, late-term
19 unborn children were protected under New York law upon reaching 24 weeks' gestation, except
20 to save a mother's life; and

21 Whereas, the RHA expands that exception to permit abortions when necessary to
22 protect the mother's "health," which has generally been interpreted by courts to include age as
23 well as economic, social, and emotional factors, rather than the biological definition of "health"
24 that normally comes to mind; and

25 Whereas, at least by 20 weeks' post-fertilization age, unborn children are capable of
26 feeling excruciating pain and suffering and should be protected from abortion; and

27 Whereas, the RHA allows any licensed health care practitioner to perform an abortion
28 while previous law allowed only a duly licensed physician to perform the procedure; and

29 Whereas, the RHA allows any licensed health care practitioner to perform an abortion
30 if he or she acts in "good faith," rather than applying an objective medical standard of care,
31 thereby opening the door broadly for abuse; and

32 Whereas, the RHA removed protections for women and unborn children from illegal
33 abortion by removing abortion from New York's Penal Law, thereby preventing prosecution of
34 illegal abortions, including those performed by any self-proclaimed health care provider as well
35 as those resulting from intentional violence committed against a pregnant woman and her child;
36 and



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1 Whereas, the RHA is the opposite of pro-woman; and

2 Whereas, the RHA repeals protective medical standards for women and their unborn
3 children, such as requiring that certain abortions be performed in hospitals on an in-patient basis
4 and that a second physician attend the procedure for women who are 20 weeks pregnant in order
5 to provide medical care to any infant born alive; and

6 Whereas, the repeal of these protective medical standards is tantamount to endorsing
7 infanticide; and

8 Whereas, legislators across the country have filed multiple bills similar to New York's
9 so-called Reproductive Health Act, and these bills are a threat to existing pro-life protections that
10 have been enforced and upheld for years; and

11 Whereas, the intentions of these laws are to enable the abortion industry to operate
12 without regulation, reservation, or regard for human life; Now, therefore,

13 Be it resolved by the House of Representatives, the Senate concurring:

14 **SECTION 1.** The General Assembly stands in mourning due to the countless lives
15 that will be lost as a result of New York's Reproductive Health Act.

16 **SECTION 2.** The General Assembly will continue to educate the public about the
17 developing unborn child and advocate for protective pro-life laws.

18 **SECTION 3.** The General Assembly stands in solidarity with all who advocate for
19 the effective and legal protection of unborn children and their mothers in this country.

20 **SECTION 4.** This resolution is effective upon ratification.