

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 158

Short Title: Const. Amend./Life at Fertilization. (Public)

Sponsors: Representatives Pittman and Brody (Primary Sponsors).

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

Referred to: Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

February 25, 2021

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO DECLARE THAT A  
DISTINCT AND SEPARATE HUMAN LIFE BEGINS AT THE MOMENT OF  
FERTILIZATION AND SHALL BE HELD INVIOLEATE AS AN INDIVIDUAL PERSON  
AND PROTECTED BY THE LAWS OF THIS STATE FROM THE MOMENT OF  
FERTILIZATION UNTIL NATURAL DEATH, SO LONG AS THAT PERSON IS NOT  
CONVICTED OF A CAPITAL OFFENSE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article I of the North Carolina Constitution is amended by adding a  
new section to read:

**"Sec. 39. Life begins at fertilization.**

It is a matter of indisputable scientific fact that a distinct and separate human life begins at the moment of fertilization. As such, that new human life is recognized by the State as an individual person, entitled to the protection of the laws of this State from the moment of fertilization until the moment of natural death. Any person who willfully seeks to destroy the life of another person, by any means, at any stage of life, or succeeds in doing so, shall be held accountable for attempted murder or for first degree murder, respectively. Any person has the right to defend his or her own life or the life of another person, even by the use of deadly force if necessary, from willful destruction by another person. The State has an interest and a duty to defend innocent persons from willful destruction of their lives and to punish those who take the lives of persons, born or unborn, who have not committed any crime punishable by death."

**SECTION 2.** The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the general election in 2022, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[ ] FOR [ ] AGAINST

Constitutional amendment to recognize that a distinct and separate human life begins at the moment of fertilization, and this individual person is entitled to the protection of the laws of the State from the moment of fertilization until the moment of natural death."

**SECTION 3.** If a majority of votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State. The Secretary of State shall enroll the amendment so certified among the permanent records of that office. The amendment set out in Section 1 of this act becomes effective upon certification and applies to takings after that date.



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1                   **SECTION 4.** Except as otherwise provided, this act is effective when it becomes  
2 law.