

By Mr. White, a petition for a legislative amendment to the Constitution to protect the rights of parents and their unborn children, having been called for consideration in joint session by an order adopted by the Senate on Tuesday, April 9, 1991.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-One.

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PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION TO PROTECT THE RIGHTS OF PARENTS AND THEIR UNBORN CHILDREN.

1 A majority of all the members elected to the Senate and House  
2 of Representatives, in joint session, hereby declares it to be  
3 expedient to alter the Constitution by the adoption of the  
4 following Article of Amendment, to the end that it may become  
5 a part of the Constitution [if similarly agreed to in a joint session  
6 of the next General Court and approved by the people at the state  
7 election next following]:

8 **ARTICLE OF AMENDMENT.**

9 Part the First of the constitution of the commonwealth is hereby  
10 amended by adding the following article:

11 Article XXXI. The life of each human being begins at  
12 conception. Unborn children have protectable interests in life,  
13 health, and well-being. The natural parents of unborn children  
14 have protectable interests in the life, health, and well-being of their  
15 unborn child or children. This constitution and the laws of the  
16 commonwealth shall be interpreted to acknowledge on behalf of  
17 the unborn child at every stage of development, all the rights,  
18 privileges, and immunities available to other persons, citizens, and  
19 residents of this state, subject only to the constitution of the United  
20 States.

21 As used in this article, the term unborn children shall include  
22 all unborn children of human beings from the moment of  
23 conception until birth at every stage of biological development.

24 Nothing in this article shall be interpreted as creating a cause  
 25 of action against a woman for indirectly harming her unborn child  
 26 by failing to properly care for herself or by failing to follow any  
 27 particular program of prenatal care; nor shall this article be  
 28 construed so as to prohibit abortions which are medically  
 29 necessary to save the life of the mother.

ARTICLE 10 OF THE CONSTITUTION

10 Part of the purpose of the amendment is to  
 11 amend the following article:  
 12 Article 10. The life of each human being begins at  
 13 conception. About which has protectable interest in life,  
 14 health, and well-being. The natural parents of unborn children  
 15 have primary responsibility for their health, and well-being of their  
 16 unborn children. The amendment and the loss of the  
 17 amendment shall be considered to be null and void in all  
 18 the courts and at every stage of development, all the rights,  
 19 privileges, and immunities existing under persons, citizens and  
 20 residents of this state, subject only to the constitution of the United  
 21 States.  
 22 As used in this article, the term unborn children shall include  
 23 all unborn children of human beings from the moment of  
 24 conception until birth at every stage of biological development.