

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairman Barker and the House Committee on Federal and State Affairs
From: Office of Revisor of Statutes
Date: January 15, 2021
RE: HCR 5003 – Value Them Both Amendment to the Constitution of the State of Kansas regarding the right to abortion.

House Concurrent Resolution No. 5003 would amend the Bill of Rights of the Constitution of the State of Kansas by adding a new section to the Bill of Rights regarding the regulation of abortion. The new section would state that nothing in the state constitution requires the government to fund abortion and does not create or secure a right to abortion.

The new section would also provide that the people of Kansas, through their elected state legislators, may pass laws regarding abortion. Such laws would remain subject to the United States Constitution's protections of an individual's right to abortion.

As with all concurrent resolutions proposing amendments to the Constitution of the State of Kansas, the resolution must be adopted by a $\frac{2}{3}$ vote in each chamber in order to be presented to the general electorate for approval. If HCR 5003 is adopted by this constitutional majority in both chambers, then it would call for a special election to be held in conjunction with the primary election on August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas.