

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred a proposed  
3 amendment to the Constitution of the State of Vermont entitled “Proposal 5”  
4 respectfully reports that it has considered the same and recommends that the  
5 proposal be amended by striking out all after the enacting clause and inserting  
6 in lieu thereof the following:

7 PROPOSAL 5

8 Sec. 1. PURPOSE

9 (a) This proposal would amend the Constitution of the State of Vermont to  
10 ensure that every Vermonter is afforded personal reproductive liberty. The  
11 Constitution is our founding legal document stating the overarching values of  
12 our society. This amendment is in keeping with the values espoused by the  
13 current Vermont Constitution. Chapter I, Article 1 declares “That all persons  
14 are born equally free and independent, and have certain natural, inherent, and  
15 unalienable rights.” Chapter I, Article 7 states “That government is, or ought  
16 to be, instituted for the common benefit, protection, and security of the  
17 people.” The core value reflected in Article 7 is that all people should be  
18 afforded all the benefits and protections bestowed by the government, and that  
19 the government should not confer special advantages upon the privileged. This  
20 amendment would reassert the principles of equality and personal liberty  
21 reflected in Articles 1 and 7 and ensure that government does not create or

1 perpetuate the legal, social, or economic inferiority of any class of people.

2 This proposed constitutional amendment is not intended to limit the scope of  
3 rights and protections afforded by Article 7 or any other provision in the  
4 Vermont Constitution.

5 (b) The right to reproductive liberty is central to the exercise of personal  
6 autonomy and involves decisions people should be able to make free from  
7 compulsion of the State. Enshrining this right in the Constitution is critical to  
8 ensuring equal protection and treatment under the law and upholding the right  
9 of all people to health, dignity, independence, and freedom.

10 Sec. 2. Article 22 of Chapter I of the Vermont Constitution is added to read:

11 Article 22. [Personal reproductive liberty]

12 That an individual's right to personal reproductive autonomy is central to  
13 the liberty and dignity to determine one's own life course as protected by this  
14 Constitution, and shall not be denied or infringed unless justified by a  
15 compelling State interest achieved by the least restrictive means.

16 Sec. 3. EFFECTIVE DATE

17 The amendment set forth in Sec. 2 shall become a part of the Constitution of  
18 the State of Vermont on the first Tuesday after the first Monday of November  
19 2022 when ratified and adopted by the people of this State in accordance with  
20 the provisions of 17 V.S.A. chapter 32.

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(Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

FOR THE COMMITTEE