

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 and shall not be
14 denied or infringed unless justified by a compelling State interest achieved by
15 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: _____)

Senator _____

FOR THE COMMITTEE