

S.WARD

Be it Enacted by the People of the State of Colorado

In the constitution of state of Colorado, Article XVIII, **add** (17) as follows:

Section 17. Protection of Pregnant Mothers and Unborn Children

(1) Purpose and findings. IN 2009, JUDGES OF THE COLORADO STATE COURT OF APPEALS IN PEOPLE V. LAGE 232 P.3d 138 (COLO. APP. 2009) CONCLUDED THAT:

(a) "THERE IS NO DEFINITION OF 'PERSON' OR 'CHILD' OF GENERAL APPLICABILITY IN THE CRIMINAL CODE" (MAJORITY OPINION BY JUDGE ROY); AND

(b) "THIS IS AN AREA THAT CRIES OUT FOR NEW LEGISLATION. OUR GENERAL ASSEMBLY, UNLIKE CONGRESS AND MOST STATE LEGISLATURES, HAS PRECLUDED HOMICIDE PROSECUTIONS FOR KILLING THE UNBORN"(JUDGE CONNELLY CONCURRING IN PART AND DISSENTING IN PART).

(2) Definitions. IN THE INTEREST OF THE PROTECTION OF PREGNANT MOTHERS AND THEIR UNBORN CHILDREN FROM CRIMINAL OFFENSES AND NEGLIGENT AND WRONGFUL ACTS, THE WORDS "PERSON" AND "CHILD" IN THE COLORADO CRIMINAL CODE AND THE COLORADO WRONGFUL DEATH ACT MUST INCLUDE UNBORN HUMAN BEINGS.

(3) Self-executing, and severability provision. ALL PROVISIONS OF THIS SECTION ARE SELF-EXECUTING AND ARE SEVERABLE.

(4) Effective date. ALL PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL DECLARATION OF THE VOTE HEREON BY PROCLAMATION OF THE GOVERNOR PURSUANT TO SECTION 1(4) OF ARTICLE V.

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