

Subject Protect Reproductive Options Act

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Overview

This bill establishes the Protect Reproductive Options Act. It provides that every individual has the fundamental right to make autonomous decisions about the individual's own reproductive health, that the Minnesota Constitution ensures the fundamental right to reproductive freedom, and that local units of government cannot restrict an individual's ability to exercise the fundamental rights in this section.

Under a 1995 decision of the Minnesota Supreme Court, the right to decide to terminate a pregnancy is protected by the right of privacy in the Minnesota Constitution. In *Doe v. Gomez*, the Minnesota Supreme Court determined that a woman's right to decide to terminate her pregnancy is a fundamental right, and that the right of privacy in the Minnesota Constitution encompasses a woman's fundamental right to decide to terminate her pregnancy.

Summary

Section	Description
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1	Reproductive health rights.
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Adds § 145.409. Provides that an individual has a fundamental right to make autonomous decisions about the individual's own reproductive health, provides that principles in the state constitution ensure the fundamental right to reproductive freedom, and prohibits local units of government from restricting an individual's ability to exercise the fundamental rights in this section.

Subd. 1. Short title. States that this section may be cited as the Protect Reproductive Options Act.

Subd. 2. Definition. Defines reproductive health care for this section.

Subd. 3. Reproductive freedom. Provides that every individual has a fundamental right to make autonomous decisions about the individual's own

Section	Description
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reproductive health, including the fundamental right to use or refuse reproductive health care; and every individual who becomes pregnant has a fundamental right to continue the pregnancy and give birth, or obtain an abortion, and to make autonomous decisions about how to exercise this fundamental right.

Subd. 4. Right to reproductive freedom recognized. States that the Minnesota Constitution establishes principles of individual liberty, personal privacy, and equality, and that these principles ensure the fundamental right to reproductive freedom.

Subd. 5. Local unit of government limitation. Prohibits a local unit of government from regulating an individual's ability to freely exercise the fundamental rights in this section in a more restrictive manner than set forth in this section.

This section is effective the day following final enactment.



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