

Virginia State Constitutional Amendment For Your Information

Later this year, either in the Spring (April/May) or in the Fall (November) you will be asked to vote on an amendment to the Virginia State Constitution. The full text of that amendment is included for you below. This amendment is named the *Fundamental Right to Reproductive Freedom*. It is not the place of the Church to tell you how to vote on this or any other matter. But it is the duty of your vocation as a citizen of this country to be prepared and informed to vote on this amendment, and to know the theological implications of it. Therefore we are providing the text of the amendment here for you, along with some guidance and commentary on it.

According to current Virginia law, abortion is legal in Virginia through the first two trimesters of a pregnancy, though there are some protective stipulations to protect mothers and children. Specifically, these are:

- (a.) Parental consent is required for individuals under 18 (though a judicial bypass option exists).
- (b.) In the second trimester, the procedure must be performed by a licensed physician in a hospital.
- (c.) Third trimester abortions are prohibited unless necessary to save the life or health of the mother.

If the proposed amendment passes this year, because of its broad and vague wording, the following changes would be established:

- (1.) Make the passing of future laws to protect pregnant women and teens virtually impossible.
- (2.) Make abortion unregulated, and largely unregulateable, in Virginia.
- (3.) Allow taxpayer funding of abortion.
- (4.) Allow unlicensed or improperly trained individuals to perform surgical abortions or distribute abortion chemicals without any legal jeopardy or recourse for a woman.
- (5.) Remove parental consent for minors.
- (6.) Jeopardize the work of Crisis Pregnancy Centers, like Assist, since they could be seen as *indirectly burdening or infringing* upon a woman's right by not counseling for abortion.
- (7.) Remove any liability of prosecution for those providing abortion or abortion chemicals, and open to prosecution those who counsel against abortion.

Read the text of the amendment below.

Then continue reading for more dangers that this amendment, if passed, could introduce to our commonwealth.

SENATE JOINT RESOLUTION NO. 1

Proposing an amendment to the Constitution of Virginia by adding in Article I a section numbered 11-A, relating to fundamental right to reproductive freedom.

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2025 and referred to this, the next regular session held after the 2025 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article I a section numbered 11-A as follows:

ARTICLE I

BILL OF RIGHTS

Section 11-A. Fundamental right to reproductive freedom.

That every individual has the fundamental right to reproductive freedom, including the ability to make and carry out decisions relating to one's own prenatal care, childbirth, postpartum care, contraception, abortion care, miscarriage management, and fertility care.

An individual's right to reproductive freedom shall not be, directly or indirectly, denied, burdened, or infringed upon unless justified by a compelling state interest achieved by the least restrictive means.

Notwithstanding the above, the Commonwealth may regulate the provision of abortion care in the third trimester, provided that in no circumstance shall the Commonwealth prohibit an abortion (i) that in the professional judgment of a physician is medically indicated to protect the life or physical or mental health of the pregnant individual or (ii) when in the professional judgment of a physician the fetus is not viable.

The Commonwealth shall not discriminate in the protection or enforcement of this fundamental right.

The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against an individual based on such individual's own exercise of this fundamental right or such individual's own actual, potential, perceived, or alleged pregnancy outcomes, including miscarriage, stillbirth, or abortion. The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against any individual for aiding or assisting another individual in exercising such other individual's right to reproductive freedom with such other individual's voluntary consent.

For the purposes of this section, a state interest is compelling only if it is for the limited purpose of maintaining or improving the health of an individual seeking care, consistent with accepted clinical standards of care and evidence-based medicine, and does not infringe on that individual's autonomous decision making.

This section shall be self-executing. Any provision of this section held invalid shall be severable from the remaining portions of the section.

What Dangers Does This Amendment Introduce?

In addition to the harmful effects this amendment would cause as listed on the front of this booklet, the following dangers could arise:

(1.) Did you know that the great majority of abortions are now chemical abortions? This is done through powerful (not harmless!) drugs. If given improperly, these chemicals can kill (and *have* killed) women (i.e., with an ectopic pregnancy).

(2.) News stories were recently aired about a public school employee paying for abortions for students. The investigation is ongoing, but this amendment would open the door for that very thing to happen, with there being no legal recourse for the parents.

(3.) “Pop-up shops” to dispense abortion chemicals could arise, *even near schools*, and dispense unregulated chemicals. News stories have recently informed the public about the dangers of foreign, unregulated vapes coming into our country. How much more dangerous foreign, unregulated abortion chemicals.

(4.) Virginia could become an “abortion destination” state, with people coming here from other states not only to have abortions, but also to provide abortions or abortion chemicals more easily and with less legal jeopardy.

(5.) What does “*indirectly infringing upon an individual’s right to reproductive freedom*” mean? Is failure to inform or suggest abortion infringing upon a woman’s rights? The vagueness of this language could cause lawsuits to be filed suggesting just that, greatly restricting, hindering, or driving Crisis Pregnancy Centers out of business by the burden of legal defense fees.

(6.) Will the health and safety of women be advanced with this amendment? Or does this amendment open the door to harm and danger from unregulated and unscrupulous persons operating without restriction in Virginia?

(7.) With this amendment there are no age restrictions. Can a very young (and often scared!) girl truly make a good and informed decision with regard to her health? Why, if we see the need to regulate (for example) the sale of cigarettes to minors, would we not also see the need to regulate powerful abortion chemicals as well?

And most importantly: Does this amendment agree with Scripture that all life is a gift from God and a person for whom Christ died? Is a *yes* vote for this amendment loving your neighbor as yourself?

For more information on this and other sanctity of life issues . . .

(1.) Talk to Pastor

(2.) Visit the following websites:

lutheransforlife.org

vshl.org (*Virginia Society for Human Life*)

familyfoundation.org

lcms.org (Life Ministry and resources)