



## SJR 107

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**Path to full text:** <https://www.senate.mo.gov/26info/pdf-bill/intro/SJR107.pdf>

### PART 1 — QUICK SNAPSHOT (SJR 107)

#### 1.1 One-Paragraph Overview

SJR 107 is a proposed **Missouri constitutional amendment** that would go to the voters (next general election **November 3, 2026**, unless the Governor calls a special election) and would **repeal Article I, Section 36** of the Missouri Constitution. In plain terms: it aims to **remove** the recently-added constitutional “right to reproductive freedom” language that explicitly includes abortion and related protections, and return Missouri’s abortion policy to being governed primarily by **statutes and other applicable constitutional/federal rules**, rather than a state constitutional right. Practically, this would make it easier for the General Assembly (and the people, through future amendments) to **restrict abortion** and related practices without being blocked by Section 36’s “fundamental right / strict scrutiny” framework.

#### 1.2 Triage Table (Fast Flags)

Check	Quick finding
<b>Single-Subject / Clear-Title</b>	Appears <b>clean single-subject</b> : repeal of one constitutional section. Title matches substance.
<b>Title Specificity (0-3)</b>	<b>3</b> — It plainly says it repeals Article I, §36 “relating to reproductive health care.”
<b>Department / Agency Scope</b>	<b>Single (constitutional change)</b> — no agencies/boards empowered.
<b>Does it grow government?</b>	<b>No</b> — it removes a constitutional restriction on lawmakers/courts; does not create programs or bureaucracy.
<b>Impact on Missouri families</b>	<b>Helps</b> (from a pro-life / pro-family lens): removes constitutional abortion protections.

Check	Quick finding
<b>Alignment with Act for Missouri core beliefs</b>	<b>Supports</b> (sanctity of life; constitutional clarity; restrains a pro-abortion constitutional mandate).
<b>Initial stance</b>	<b>Support – initial</b>

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## PART 2 — PURPOSE & PROVISION MAP

### 2.1 Stated Purpose & Title

**Title/description:** “Submitting... an amendment repealing section 36 of article I... relating to reproductive health care.”

**What it really does:** It asks voters to **delete** the constitutional section that establishes a “fundamental right to reproductive freedom” (including abortion) and limits government regulation through strict scrutiny and related protections.

### 2.2 Provision-by-Provision Map

#### 1. Submission to voters (Election language)

- **Location:** Intro/lines 1–7 (submission at the next general election in 2026 or a governor-called special election)
- **Plain language:** Puts this repeal on the ballot.
- **Tag:** [Good]
- **Why:** Ballot submission is necessary.

#### 2. Repeal of Article I, Section 36

- **Location:** “Section A”
- **Plain language:** **Repeals Section 36** entirely. The long bracketed text is the existing Section 36 being removed (not new language being enacted).
- **Tag:** [Good]
- **Why:** It removes constitutional language that: (a) declares a “fundamental right” to “reproductive freedom,” (b) presumptively invalidates restrictions, (c) protects abortion broadly including for “mental health,” and (d) bars penalties for abortion and for assisting abortion—creating a powerful shield for abortion providers and networks.

### 2.3 Changes to Existing Law (High-Level)

- Removes the **state constitutional** “fundamental right to reproductive freedom” framework (strict scrutiny / presumed invalid restrictions).

- Removes constitutional protections that block penalties for abortion-related conduct and “assisting” abortion (as written in Section 36).
- Restores policymaking space to **statutes and future amendments**, rather than locking abortion policy into the constitution.
- Does **not** create personhood or equal-protection language on its own (it is a rollback measure, not an affirmative right-to-life amendment).

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## PART 3 — CONSTITUTIONAL & PROCESS CHECKS

### 3.1 Missouri Single-Subject & Clear-Title (Art. III §23)

- **Main subject:** Repeal of Article I, Section 36 (reproductive freedom/abortion constitutional language).
- **Additional subjects:** None apparent.
- **Riders/barnacles:** None.
- **Title clarity vs real effects:** The title accurately signals the change—repeal of that section.
- **Citizen fair-notice:** Strong—an ordinary voter reading it would understand it repeals the constitutional provision.

**Conclusion:** Complies with single-subject and clear-title requirements (and also meets fair-notice in spirit).

### 3.2 U.S. & Missouri Constitutional Rights Implicated

- **Right to life/equal protection (preborn children):** This **supports** protection efforts by removing a state-constitutional barrier that elevates abortion as a protected “fundamental right.”
- **Due process/vagueness concerns (in current Section 36):** Repeal removes language that can be stretched (e.g., “mental health,” “autonomous decision-making,” broad “assisting” protections).
- **Religious liberty/conscience:** Indirect benefit—less constitutional pressure to force accommodation of abortion as a protected right (though conscience issues can still arise via other laws).

### 3.3 Delegation / Separation of Powers

- **No new delegations** to agencies, boards, NGOs, or “standards.”

- Net effect is to **remove** a constitutional rule that heavily constrains the people's elected lawmakers and invites aggressive judicial enforcement of abortion access under strict scrutiny.

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## PART 4 — IMPACT ON MISSOURI FAMILIES

### 4.1 Economic, Tax, and Utility Impacts

- No direct taxes/fees/utility impacts in the text.
- Indirectly, it may reduce taxpayer exposure to abortion-policy litigation and compliance regimes that flow from constitutionalizing abortion, but that's downstream and not specified in the resolution.

### 4.2 Family, Parental Rights, and Education

- No direct school/DESE/parental-rights provisions.
- Indirectly, removing constitutional abortion protections can strengthen the state's ability to adopt pro-family protections in health policy without being struck down under Section 36's strict scrutiny.

### 4.3 Moral & Cultural Climate

- Clear pro-life direction: it removes constitutional language that normalizes abortion as a protected right alongside prenatal and childbirth care.

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## PART 5 — ACT FOR MISSOURI CORE PRINCIPLES CHECK

- **Sanctity of life (from conception): Supports**—repeal removes explicit constitutional protection for abortion and for abortion assistance networks.
- **Limited government/accountable lawmaking: Supports**—policy returns to the people's elected representatives and future constitutional amendments, rather than a sweeping constitutional right with strict scrutiny and presumptions.
- **Constitutionalism/rule of law: Supports**—simple, readable, single-purpose constitutional housekeeping.
- **Parental rights/education/surveillance:** Not directly implicated.

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## PART 6 — SPECIAL TOPIC TESTS (2025–2026 PRIORITIES)

### 6.1 Amendment 3 / Personhood & Equal-Protection Test

- **Helps roll back** the pro-abortion constitutional language by repealing it.

- **Does not itself establish personhood/equal protection** for the preborn; it's a necessary rollback step, not the final step.

(Other special topic tests: not applicable—no surveillance, energy, federal money, or doula program language.)

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## **PART 7 — RED FLAGS, AMENDMENT IDEAS, & FINAL RECOMMENDATION**

### **7.1 Red-Flag List (None)**

### **7.3 Final Recommendation**

**Act for Missouri SUPPORTS SJR 107.** It is a clean, single-purpose constitutional measure that would repeal Missouri's Article I, Section 36 "reproductive freedom" language and remove a significant constitutional barrier to protecting unborn children and restoring pro-life lawmaking in Missouri.