

**As Introduced**

**134th General Assembly  
Regular Session  
2021-2022**

**S. J. R. No. 7**

**Senators Antonio, Williams**

**Cosponsors: Senators Craig, Fedor, Maharath, Sykes, Thomas, Yuko**

---

**A JOINT RESOLUTION**

Proposing to enact Section 22 of Article I of the Constitution 1  
of the State of Ohio to guarantee every individual a 2  
fundamental right to reproductive freedom. 3

Be it resolved by the General Assembly of the State of 4  
Ohio, three-fifths of the members elected to each house 5  
concurring herein, that there shall be submitted to the electors 6  
of the state, in the manner prescribed by law at the general 7  
election to be held on November 8, 2022, a proposal to enact 8  
Section 22 of Article I of the Constitution of the State of Ohio 9  
to read as follows: 10

**ARTICLE I** 11

Section. 22. (A) Every individual has a fundamental right 12  
to reproductive freedom, which entails the right to make and 13  
effectuate decisions about all matters relating to pregnancy, 14  
including, but not limited to, prenatal care, childbirth, 15  
postpartum care, contraception, sterilization, abortion care, 16  
miscarriage management, and infertility care. An individual's 17  
right to reproductive freedom shall not be denied, burdened, nor 18  
infringed upon unless justified by a compelling state interest 19

achieved by the least restrictive means. Notwithstanding the 20  
above, the state may regulate the provision of abortion care 21  
after fetal viability, provided that in no circumstance shall 22  
the state prohibit an abortion that, in the professional 23  
judgment of an attending health care professional, is medically 24  
indicated to protect the life or physical or mental health of 25  
the pregnant individual. 26

(B) The state shall not discriminate in the protection or 27  
enforcement of this fundamental right. 28

(C) The state shall not penalize, prosecute, or otherwise 29  
take adverse action against an individual based on the 30  
individual's actual, potential, perceived, or alleged pregnancy 31  
outcomes, including, but not limited to, miscarriage, 32  
stillbirth, or abortion, nor shall the state penalize, 33  
prosecute, or otherwise take adverse action against someone for 34  
aiding or assisting a pregnant individual in exercising the 35  
individual's right to reproductive freedom with the individual's 36  
voluntary consent. 37

(D) For the purposes of this section: 38

(1) A state interest is compelling only if it is for the 39  
limited purpose of protecting the health of an individual 40  
seeking care, consistent with accepted clinical standards of 41  
practice and evidence-based medicine, and does not infringe on 42  
that individual's autonomous decision-making. 43

(2) "Fetal viability" means the point in pregnancy when, 44  
in the professional judgment of an attending health care 45  
professional and based on the particular facts of the case, 46  
there is a significant likelihood of the fetus's sustained 47  
survival outside the uterus without the application of 48  
extraordinary medical measures. 49

(E) This section is self-executing. Any provision of this 50  
section held invalid shall be severable from the remaining 51  
portions of this section. 52

EFFECTIVE DATE 53

If adopted by a majority of the electors voting on this 54  
proposal, Section 22 of Article I of the Constitution of the 55  
State of Ohio enacted by this proposal shall take effect 56  
immediately. 57