

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 158
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40068-MLy-38A

Short Title: Const. Amend./Life at Fertilization. (Public)

Sponsors: Representatives Pittman and Brody (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO DECLARE THAT A
3 DISTINCT AND SEPARATE HUMAN LIFE BEGINS AT THE MOMENT OF
4 FERTILIZATION AND SHALL BE HELD INVIOLEATE AS AN INDIVIDUAL PERSON
5 AND PROTECTED BY THE LAWS OF THIS STATE FROM THE MOMENT OF
6 FERTILIZATION UNTIL NATURAL DEATH, SO LONG AS THAT PERSON IS NOT
7 CONVICTED OF A CAPITAL OFFENSE.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. Article I of the North Carolina Constitution is amended by adding a
10 new section to read:

11 "**Sec. 39. Life begins at fertilization.**

12 It is a matter of indisputable scientific fact that a distinct and separate human life begins at
13 the moment of fertilization. As such, that new human life is recognized by the State as an
14 individual person, entitled to the protection of the laws of this State from the moment of
15 fertilization until the moment of natural death. Any person who willfully seeks to destroy the life
16 of another person, by any means, at any stage of life, or succeeds in doing so, shall be held
17 accountable for attempted murder or for first degree murder, respectively. Any person has the
18 right to defend his or her own life or the life of another person, even by the use of deadly force
19 if necessary, from willful destruction by another person. The State has an interest and a duty to
20 defend innocent persons from willful destruction of their lives and to punish those who take the
21 lives of persons, born or unborn, who have not committed any crime punishable by death."

22 SECTION 2. The amendment set out in Section 1 of this act shall be submitted to
23 the qualified voters of the State at the general election in 2022, which election shall be conducted
24 under the laws then governing elections in the State. Ballots, voting systems, or both may be used
25 in accordance with Chapter 163 of the General Statutes. The question to be used in the voting
26 systems and ballots shall be:

27 "[] FOR [] AGAINST

28 Constitutional amendment to recognize that a distinct and separate human life begins
29 at the moment of fertilization, and this individual person is entitled to the protection of the laws
30 of the State from the moment of fertilization until the moment of natural death."

31 SECTION 3. If a majority of votes cast on the question are in favor of the amendment
32 set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the
33 Secretary of State. The Secretary of State shall enroll the amendment so certified among the
34 permanent records of that office. The amendment set out in Section 1 of this act becomes
35 effective upon certification and applies to takings after that date.



1 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
2 law.