

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

FILED SENATE  
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S.B. 909  
PRINCIPAL CLERK

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SENATE BILL DRS15452-NJy-82

Short Title: Protect Women's Healthcare. (Public)

Sponsors: Senator Hunt (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROTECT  
3 WOMEN'S HEALTHCARE.

4 The General Assembly of North Carolina enacts:

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

7 "**Sec. 39. Abortion.**

8 The State shall not restrict a woman's right to decide to have an abortion. Additionally, the  
9 State shall not restrict access to contraception, fertility treatment, continuing one's own  
10 pregnancy, or miscarriage care. The State may restrict the ability of a woman to choose whether  
11 or not to terminate a pregnancy after fetal viability, unless such a termination is necessary to  
12 preserve the life or health of the woman, or enact laws, rules, or regulations, as applicable, to  
13 further the health or safety of a woman seeking to terminate a pregnancy. For the purposes of this  
14 Section, the term "undue burden" means any burden that places a substantial obstacle in the path  
15 of a woman seeking to terminate a pregnancy prior to fetal viability. Nothing in this Section shall  
16 be construed to have any effect on laws regarding conscience protection."

17 SECTION 2. The amendment set out in Section 1 of this act shall be submitted to  
18 the qualified voters of the State at the general election in 2024, which election shall be conducted  
19 under the laws then governing elections in the State. Ballots, voting systems, or both may be used  
20 in accordance with Chapter 163 of the General Statutes. The question to be used in the voting  
21 systems and ballots shall be:

22 "[ ] FOR [ ] AGAINST

23 Constitutional amendment to recognize the right to abortion, contraception, fertility  
24 treatment, continuing one's own pregnancy, or miscarriage care."

25 SECTION 3. If a majority of votes cast on the question are in favor of the amendment  
26 set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the  
27 Secretary of State, and the amendment becomes effective January 1, 2025. The Secretary of State  
28 shall enroll the amendment so certified among the permanent records of that office.

29 SECTION 4. Except as otherwise provided, this act is effective when it becomes  
30 law.



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