

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. R25-0834.01 Faith Marcovecchio x4331

SJR25-004

SENATE SPONSORSHIP

Cutter,

HOUSE SPONSORSHIP

Garcia and Froelich,

Senate Committees

House Committees

SENATE JOINT RESOLUTION 25-004

101 **CONCERNING THE DESIGNATION OF JANUARY 22 AS "REPRODUCTIVE**
102 **RIGHTS AND JUSTICE DAY".**

1 WHEREAS, On January 22, 1973, the Supreme Court of the
2 United States found in *Roe v. Wade*, 410 U.S. 113 (1973), that the United
3 States Constitution protects the right to abortion; and

4 WHEREAS, On June 24, 2022, the Supreme Court of the United
5 States overturned the precedent established by *Roe v. Wade* (1973) and
6 *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992),
7 ruling in *Dobbs v. Jackson Women's Health Organization*, 142 S. Ct.
8 2228 (2022) that the United States Constitution "does not confer a right
9 to abortion" and that "the authority to regulate abortion is returned to the
10 people and their elected representatives"; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 WHEREAS, Justices Breyer, Sotomayor, and Kagan issued a
2 dissenting opinion in *Dobbs*, stating, "Whatever the exact scope of the
3 coming laws, one result of today's decision is certain: the curtailment of
4 women's rights, and of their status as free and equal citizens"; and

5 WHEREAS, The surest protection against that curtailment of
6 rights is now offered only by state legislatures and within state
7 constitutions; and

8 WHEREAS, Upon the *Dobbs* decision and again on the following
9 anniversary of the 1973 *Roe* ruling, tens of thousands of Coloradans
10 across the political spectrum took to the streets throughout the state to
11 express their disappointment and rage; and

12 WHEREAS, Overturning *Roe* has resulted in significant physical
13 and mental trauma to, as well as significant financial burden on, people
14 no longer able to access abortion care where they live and who must seek
15 care elsewhere; and

16 WHEREAS, Marginalized groups have been systemically denied
17 equal access to abortion even before *Roe* was overturned, especially
18 Black, Latina, and Indigenous people of color; people with lower
19 incomes; and people in remote, rural, or underserved areas; and

20 WHEREAS, On April 4, 2022, to secure the statutory right to
21 abortion free from government interference in the face of the pending
22 *Dobbs* decision, Governor Polis signed into law House Bill 22-1279
23 passed by the Colorado General Assembly, titled the "Reproductive
24 Health Equity Act" or "RHEA"; and

25 WHEREAS, On April 14, 2023, Governor Polis signed into law
26 the package of three bills passed by the Colorado General Assembly titled
27 the "Safe Access to Protected Health Care Package" or "SAPHC
28 Package", which included Senate Bills 23-188, 23-189, and 23-190; and

29 WHEREAS, Senate Bill 23-188 codified protections for
30 Colorado's patients, providers, and helpers of abortion and
31 gender-affirming care against out-of-state prosecutions, civil lawsuits,
32 investigations, and extradition claims; and

33 WHEREAS, Senate Bill 23-189 mandated that abortion be a
34 covered service without deductibles, copays, or coinsurance under private

1 health insurance plans, which protects Coloradans on private plans but
2 not the hundreds of thousands of Coloradans on publicly funded
3 insurance plans; and

4 WHEREAS, Senate Bill 23-190 categorized the deliberate false
5 advertising of abortion services as a deceptive trade practice; and

6 WHEREAS, Colorado voters defeated fetal personhood
7 amendments, which are total abortion bans, by 30% (Amendment 67) in
8 2014, by 41% (Amendment 62) in 2010, and by 46% (Amendment 48) in
9 2008; and

10 WHEREAS, In 2020, Colorado voters defeated Proposition 115,
11 a 22-week abortion ban, by 18%, with more votes cast opposing it than
12 President Biden received on the same ballot; and

13 WHEREAS, 61.97% of Colorado voters overwhelmingly approved
14 the constitutional right to abortion, solidifying its protection and
15 demonstrating strong public support; and

16 WHEREAS, Coloradans deserve the right to the full spectrum of
17 reproductive health care and we must now enact the will of the voters;
18 and

19 WHEREAS, We must enshrine the federal "Emergency Medical
20 Treatment and Labor Act" (EMTALA) into state law to ensure that all
21 Coloradans have access to essential, life-saving medical care, regardless
22 of federal actions or policy changes, and to prevent gaps in care that could
23 disproportionately impact vulnerable populations, including those
24 experiencing medical emergencies or pregnancy-related complications;
25 and

26 WHEREAS, We must strengthen our Shield Law to provide robust
27 protections for individuals seeking, providing, or supporting abortion care
28 in Colorado, ensuring their safety and privacy in the face of increasing
29 threats and legal challenges from other states; and

30 WHEREAS, Enhanced protections are necessary to safeguard
31 against the chilling effect of out-of-state legal actions, prevent the sharing
32 of private health information across jurisdictions, and affirm Colorado's
33 commitment to reproductive freedom; and

1 WHEREAS, Colorado was the first state in the nation to legalize
2 abortion, and Colorado has since led the nation, at the ballot box and in
3 the legislature, and should continue to lead the nation in protecting
4 abortion access without restriction; and

5 *Be It Resolved by the Senate of the Seventy-fifth General Assembly*
6 *of the State of Colorado, the House of Representatives concurring herein:*

7 That we, the members of the Colorado General Assembly:

8 (1) Affirm Colorado will continue to protect reproductive rights
9 and access to essential medical care, reaffirming its role as a national
10 leader in advancing and safeguarding these fundamental freedoms; and

11 (2) Hereby designate January 22 of each year as "Reproductive
12 Rights and Justice Day".