

# HOUSE BILL 1040

E4, D3, J1  
HB 1078/10 – HGO

CONSTITUTIONAL AMENDMENT

1lr1463

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By: **Delegates Dwyer, Afzali, Aumann, Bates, Cluster, Hershey, Hough, Impallaria, Kach, McDermott, W. Miller, Myers, Norman, O'Donnell, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdale, Szeliga, and Wood**

Introduced and read first time: February 11, 2011

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Personhood Amendment**

3 FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to  
4 establish that the right not to be deprived of life is vested in all human beings,  
5 irrespective of age, health, function, physical dependency, or method of  
6 reproduction, from the beginning of their biological development; making  
7 technical changes; and submitting this amendment to the qualified voters of the  
8 State for their adoption or rejection.

9 BY proposing an amendment to the Maryland Constitution  
10 Declaration of Rights  
11 Article 24

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Declaration of Rights**

16 Article 24.

17 (A) That no [man] **PERSON** ought to be taken or imprisoned or disseized of  
18 [his] **THE PERSON'S** freehold, liberties or privileges, or outlawed, or exiled, or, in any  
19 manner, destroyed, or deprived of [his] life, liberty or property, but by the judgment of  
20 [his] **THE PERSON'S** peers, or by the Law of the land.

21 (B) **THAT THE RIGHT NOT TO BE DEPRIVED OF LIFE IS VESTED IN ALL**  
22 **HUMAN BEINGS, IRRESPECTIVE OF AGE, HEALTH, FUNCTION, PHYSICAL**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **DEPENDENCY, OR METHOD OF REPRODUCTION, FROM THE BEGINNING OF**  
2 **THEIR BIOLOGICAL DEVELOPMENT.**

3       SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
4 determines that the amendment to the Maryland Constitution proposed by this Act  
5 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
6 Maryland Constitution concerning local approval of constitutional amendments do not  
7 apply.

8       SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
9 proposed as an amendment to the Maryland Constitution shall be submitted to the  
10 qualified voters of the State at the next general election to be held in November, 2012  
11 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.  
12 At that general election, the vote on this proposed amendment to the Constitution  
13 shall be by ballot, and upon each ballot there shall be printed the words “For the  
14 Constitutional Amendment” and “Against the Constitutional Amendment,” as now  
15 provided by law. Immediately after the election, all returns shall be made to the  
16 Governor of the vote for and against the proposed amendment, as directed by Article  
17 XIV of the Maryland Constitution, and further proceedings had in accordance with  
18 Article XIV.