

Amendment 67
Definition of Person and Child

1 **Ballot Title:** Shall there be an amendment to the Colorado constitution protecting pregnant
2 women and unborn children by defining "person" and "child" in the Colorado criminal code and the
3 Colorado wrongful death act to include unborn human beings?

4 *Be it Enacted by the People of the State of Colorado:*

5 In the constitution of the state of Colorado, Article XVIII, **add** (17) as follows:

6 **Section 17. Protection of Pregnant Mothers and Unborn Children**

7 **(1) Purpose and findings.** IN 2009, JUDGES OF THE COLORADO STATE COURT OF APPEALS IN
8 PEOPLE V. LAGE 232 p.3d 138 (COLO. APP. 2009) CONCLUDED THAT:

9 (a) "THERE IS NO DEFINITION OF 'PERSON' OR 'CHILD' OF GENERAL APPLICABILITY IN THE CRIMINAL
10 CODE" (MAJORITY OPINION BY JUDGE ROY); AND

11 (b) "THIS IS AN AREA THAT CRIES OUT FOR NEW LEGISLATION. OUR GENERAL ASSEMBLY, UNLIKE
12 CONGRESS AND MOST STATE LEGISLATURES, HAS PRECLUDED HOMICIDE PROSECUTIONS FOR KILLING THE
13 UNBORN" (JUDGE CONNELLY CONCURRING IN PART AND DISSENTING IN PART).

14 **(2) Definitions.** IN THE INTEREST OF THE PROTECTION OF PREGNANT MOTHERS AND THEIR
15 UNBORN CHILDREN FROM CRIMINAL OFFENSES AND NEGLIGENT AND WRONGFUL ACTS, THE WORDS
16 "PERSON" AND "CHILD" IN THE COLORADO CRIMINAL CODE AND THE COLORADO WRONGFUL DEATH ACT
17 MUST INCLUDE UNBORN HUMAN BEINGS.

18 **(3) Self-executing, and severability provision.** ALL PROVISIONS OF THIS SECTION ARE
19 SELF-EXECUTING AND ARE SEVERABLE.

20 **(4) Effective date.** ALL PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL
21 DECLARATION OF THE VOTE HEREON BY PROCLAMATION OF THE GOVERNOR PURSUANT TO SECTION 1(4)
22 OF ARTICLE V.