



SENATE JOINT RESOLUTION 25-004

BY SENATOR(S) Cutter and Michaelson Jenet, Amabile, Ball, Bridges, Daugherty, Exum, Gonzales J., Hinrichsen, Jaquez Lewis, Jodeh, Kipp, Kolker, Marchman, Mullica, Roberts, Rodriguez, Snyder, Sullivan, Weissman, Coleman;

also REPRESENTATIVE(S) Garcia and Froelich, Bacon, Bird, Boesenecker, Brown, Camacho, Carter, Clifford, Duran, English, Espenoza, Gilchrist, Hamrick, Joseph, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Martinez, Mauro, McCormick, Paschal, Phillips, Rutinel, Rydin, Sirota, Smith, Stewart K., Stewart R., Story, Titone, Valdez, Velasco, Willford, Woodrow, Zokaie, McCluskie.

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

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

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

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

WHEREAS, The surest protection against that curtailment of rights

is now offered only by state legislatures and within state constitutions;
and

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

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

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

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

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

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

WHEREAS, Senate Bill 23-189 mandated that abortion be a covered service without deductibles, copays, or coinsurance under private health insurance plans, which protects Coloradans on private plans but not the hundreds of thousands of Coloradans on publicly funded insurance plans; and

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

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

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

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

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

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

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

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

WHEREAS, Colorado was the first state in the nation to legalize abortion, and Colorado has since led the nation, at the ballot box and in the legislature, and should continue to lead the nation in protecting

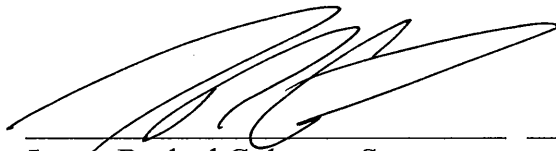
abortion access without restriction; and

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

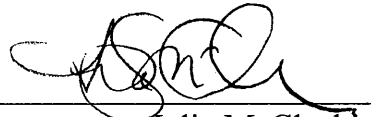
That we, the members of the Colorado General Assembly:

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

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



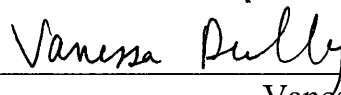
James Rashad Coleman Sr.
PRESIDENT OF
THE SENATE



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Esther van Mourik
SECRETARY OF
THE SENATE



Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES