

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

SECTION 1. In Colorado Revised Statutes, add part 9 to article 6 of title 18 as follows:

Part 9

Equal Protection of Every Living Child in Colorado

Received
Legislative Council Staff
8/16/2023, 9:11 AM

Declaration of the People.

The People of the State of Colorado find and declare that:

- 1) It is the will of the People of the State of Colorado to uphold the United States Constitution including the Preamble of the United States Constitution, the Fifth Amendment of the United States Constitution, and the Fourteenth Amendment of the United States Constitution, to secure equal protections of the law and the blessings of life and liberty to our Posterity.
- 2) The state of Colorado exercises its Constitutional and God-given responsibility to ensure equal protection to all individuals within its jurisdiction.
- 3) It is unethical to kill innocent human beings. Children are fully human, alive, and growing from day one when two gametes combine to form the unique DNA of a new living human being and double in size by day two. The child's development is highly organized and complex, including a beating heart at three weeks, detectable brainwaves at six weeks, ability to feel pain at seven weeks, and creating blood cells with blood type, fingerprints, and facial expressions by the time the child enters fetal development at ten weeks of life. If the preborn child is healthy enough, with normal nutrition, time, and protection, the child will continue to live through birth at approximately forty weeks.
- 4) It is not necessary to intentionally cause the death of a preborn child. Though not always successful, medical personnel shall make every attempt to save all lives. Children must not be dismembered, scalded, poisoned, or caused fatal harm through inhumane treatment.
- 5) A child's bodily autonomy does not diminish the bodily autonomy or protection of others. No one benefits from intentionally harming or taking the life of a child. Children shall be protected, nourished, comforted, and welcomed into the world.
- 6) No human being is property of another human to dispose of at-will. No human being shall be denied equal protection as persons simply because they cannot defend themselves.
- 7) Every living child deserves to live his or her one life, without discrimination, regardless of age, developmental ability or disability, health, prognoses, sex, socio-economic background, origin, nationality, ethnicity, or birth status.
- 8) Resources and non-violent alternatives are available for all children and their parents to address individual needs without resorting to the violence of taking the life of a child.

18-6-901. EQUAL PROTECTION OF EVERY LIVING CHILD

- 1) **EQUAL PROTECTION.** A LIVING HUMAN CHILD MUST NOT BE INTENTIONALLY DISMEMBERED, MUTILATED, POISONED, SCALDED, OR TREATED INHUMANELY TO CAUSE INTENTIONAL PHYSICAL HARM INTENDED TO LEAD TO DISABILITY OR DEATH. THE HOMICIDE OF A HUMAN CHILD AT ANY TIME PRIOR TO, DURING, OR FOLLOWING BIRTH SHALL BE TREATED IN ACCORDANCE WITH COLORADO REVISED STATUTES §§ 18-3-101 TO 107, WITHOUT DISCRIMINATION FOR THE VICTIM'S AGE, GESTATIONAL AGE, ABILITY OR DISABILITY, HEALTH, ORIGIN, SEX, ETHNICITY, SOCIO-ECONOMIC BACKGROUND, OR BIRTH STATUS.

2) **ENFORCEMENT.** DISTRICT ATTORNEYS AND LOCAL LAW ENFORCEMENT SHALL HAVE CONCURRENT JURISDICTION WITH THE ATTORNEY GENERAL TO ENFORCE 18-6-901(1).

18-6-902. SELF-EXECUTING. SECTION 18-6-901 SHALL BE SELF-EXECUTING AND SUPERSEDE ANY CONFLICTING STATUTES, LEGISLATION, OR JUDGMENTS.

SECTION 2. APPLICABILITY. THIS ACT APPLIES TO OFFENSES COMMITTED ON OR AFTER JANUARY 1, 2025.

SECTION 3. EFFECTIVE DATE. THIS ACT SHALL TAKE EFFECT JANUARY 1, 2025, IF APPROVED BY THE VOTE OF THE PEOPLE.