

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE JOINT
6 RESOLUTION NO. 1009

By: Kern

7 COMMITTEE SUBSTITUTE

8 A Joint Resolution strongly opposing the federal Freedom of Choice Act; and
9 directing distribution.

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11 WHEREAS, Barack Obama, President of the United States, has promised that one of the top
12 priorities of his new Administration is to sign into law the “Freedom of Choice Act” which purports to
13 classify abortion as a fundamental right equal in stature to the right to free speech and the right to vote,
14 rights that, unlike abortion, are specifically enumerated in the United States Constitution; and

15 WHEREAS, the federal Freedom of Choice Act would invalidate any statute, ordinance,
16 regulation, administrative order, decision, policy, practice, or other action of any federal, state, or local
17 government or governmental official that would deny or interfere with a woman’s right to choose
18 abortion, or that would discriminate against the exercise of the right in the regulation or provision of
19 benefits, facilities, services, or information; and

20 WHEREAS, the federal Freedom of Choice Act would nullify any federal or state law enacted,
21 adopted, or implemented before, on, or after the date of its enactment and would effectively prevent
22 the State of Oklahoma from enacting similar protective measures in the future; and
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1 WHEREAS, the federal Freedom of Choice Act would invalidate more than 550 federal and
2 state abortion-related laws, laws supported by the majority of the American public; and

3 WHEREAS, the Freedom of Choice Act will not make abortion safe or rare, but will instead
4 actively promote and subsidize abortion with state and federal tax dollars and do nothing to ensure its
5 safety; and

6 WHEREAS, the federal Freedom of Choice Act could be passed as a whole by Congress or,
7 alternatively implemented piecemeal through legislation, Executive Orders, or other policy
8 determinations made by the new Administration.

9 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND
10 THE SENATE OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

11 THAT the Legislature strongly opposes the federal Freedom of Choice Act and urges United
12 States Congress to summarily reject it.

13 THAT the Legislature strongly opposes the federal Freedom of Choice Act because it seeks to
14 circumvent the states' general legislative authority as guaranteed by the Tenth Amendment to the U.S.
15 Constitution.

16 THAT the Legislature strongly opposes the federal Freedom of Choice Act because it seeks to
17 undermine the right and responsibility of the states and the people to debate, vote on, and determine
18 abortion policy.

19 THAT the Legislature strongly opposes the federal Freedom of Choice Act because the
20 protection of women's health through state regulations on abortion is a compelling state interest that
21 should not be nullified by Congress.

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1 THAT the Legislature strongly opposes the federal Freedom of Choice Act because its
2 enactment would nullify laws in the State of Oklahoma, laws that the Legislature and the people of
3 Oklahoma strongly support.

4 THAT the Secretary of State of Oklahoma transmit a copy of this resolution to the Governor, to
5 the President of the United States, and to the President of the Senate and the Speaker of the House of
6 Representatives of the United States Congress.

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8 52-1-6968 LRB 02/19/09

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