

## SENATE RESOLUTION NO. 92

Senators Bayer, McMorrow, Geiss, Moss, Polehanki, Alexander, Hollier, Chang, Brinks, Wojno and Santana offered the following resolution:

1           A resolution to urge the United States Congress and the  
2 President of the United States to enact legislation that would  
3 protect a health care provider's ability to provide abortion  
4 services.

5           Whereas, The freedom to control decisions about whether and  
6 when to have a child is a fundamental component of gender equality.  
7 The choice to bear a child is deeply personal and can profoundly  
8 impact a woman's physical and mental health, future professional  
9 opportunities, and her ability to achieve her fullest potential.  
10 While both men and women are responsible for bringing new life into  
11 the world, only women have been expected to sacrifice their health,

1 safety, ambitions, and even their lives, for an unwanted pregnancy;  
2 and

3       Whereas, The landmark Supreme Court decision, *Roe v. Wade*,  
4 recognized that the fundamental right to privacy includes a woman's  
5 right to choose to have an abortion. While this right must be  
6 balanced against the state's interest in the "potentiality of human  
7 life," the weight of these interests vary over the course of a  
8 pregnancy. State laws that broadly prohibit abortion regardless of  
9 the stage of pregnancy violate the right to privacy under *Roe v.*  
10 *Wade*; and

11       Whereas, In spite of the clear holding in *Roe v. Wade*, state  
12 laws have been chipping away at women's reproductive freedom for  
13 decades by imposing restrictions on abortion that are not evidence-  
14 based and do not confer any health or safety benefits. Most  
15 recently, the state of Texas enacted an abortion ban that prohibits  
16 abortion as early as six weeks into pregnancy, before many women  
17 realize they are pregnant. According to the ACLU, approximately 85  
18 to 90 percent of people who obtain abortions in Texas are at least  
19 six weeks pregnant. As a result, very few women in Texas will have  
20 access to the fundamental right that they are guaranteed by the  
21 Constitution of the United States; and

22       Whereas, In response to the U.S. Supreme Court's recent  
23 decision to deny an emergency request to block the abortion ban in  
24 Texas, lawmakers in other states will likely follow suit and enact  
25 similar restrictions that will decimate access to abortion services  
26 across the country. Swift action by Congress is needed to pass  
27 federal legislation that will work to protect women's reproductive  
28 freedom; and

29       Whereas, The Women's Health Protection Act (WHPA) of 2021

1 would establish that a health care provider has a statutory right  
2 to provide abortion services and that a provider's patient has a  
3 corresponding right to receive such services. The act would  
4 prohibit laws that impose burdensome restrictions that limit a  
5 provider's ability to provide abortion services, such as requiring  
6 doctors to perform unnecessary tests and procedures, preventing  
7 doctors from prescribing medically appropriate medication,  
8 establishing restrictions on medical training for future abortion  
9 providers, and implementing mandatory waiting periods for patients;  
10 and

11       Whereas, The WHPA is necessary in order to ensure equality at  
12 every level. Abortion-specific restrictions affect the cost and  
13 availability of abortion services. Therefore, only a certain  
14 population of women with the means to overcome these restrictions  
15 will be able to access a medically necessary procedure.  
16 Restrictions on reproductive health that create unequal burdens  
17 among women perpetuate systems of oppression and exacerbate  
18 existing inequality. By limiting the restrictions, Congress can  
19 ensure that all women, regardless of their background, have access  
20 to safe and affordable abortions; and

21       Whereas, Access to essential health care, including abortion  
22 services, is central to achieving reproductive justice and enabling  
23 every individual to fully participate in economic and social life.  
24 True equality cannot be achieved until everyone has the economic,  
25 social, and political power and autonomy to control their own  
26 bodies and make decisions about lives with equal dignity and self-  
27 determination; now, therefore, be it

28       Resolved by the Senate, That we urge the United States  
29 Congress and the President of the United States to enact

1 legislation that would protect a health care provider's ability to  
2 provide abortion services; and be it further

3       Resolved, That copies of this resolution be transmitted to the  
4 President of the United States, the Speaker of the United States  
5 House of Representatives, the President of the United States  
6 Senate, and the members of the Michigan congressional delegation.