

1 SJR67
2 150180-1
3 By Senators Brewbaker, Bussman, Allen, Ward, Waggoner, Holley,
4 Williams, Holtzclaw, Glover, McGill, Sanford, Taylor and Reed
5 RFD: Rules
6 First Read: 11-APR-13

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8 RECOGNIZING RIGHTS OF UNBORN CHILDREN.

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10 WHEREAS, the liberties of a nation are secure only
11 when the minds of its people are convinced that those
12 liberties are gifts of the Almighty God; and

13 WHEREAS, Section 1 of the Constitution of Alabama of
14 1901, provides "That all men are equally free and independent;
15 that they are endowed by their Creator with certain
16 inalienable rights; that among these are life, liberty and the
17 pursuit of happiness"; and

18 WHEREAS, Section 35 of the Constitution of Alabama
19 of 1901, provides that "the sole object and only legitimate
20 end of government is to protect the citizen in the enjoyment
21 of life, liberty, and property"; and

22 WHEREAS, the Legislature of Alabama, in Section
23 26-22-1(a), Code of Alabama 1975, has declared that "The
24 public policy of the State of Alabama is to protect life,
25 born, and unborn"; and

26 WHEREAS, the Legislature of Alabama in Section
27 26-16-90, Code of Alabama 1975, has declared that "Every child

1 is entitled to live in safety and in health and to survive
2 into adulthood"; and

3 WHEREAS, the Supreme Court of Alabama in Ex parte
4 Ankrom, ___ So. 3d ___ [Ms. 1110176 and 1110219, January 11,
5 2013] (Ala. 2013), interpreted Section 26-15-3.2, Code of
6 Alabama 1975, which is commonly known as the
7 chemical-endangerment statute, and held that "the plain
8 meaning of the word 'child' in the chemical-endangerment
9 statute includes unborn children"; now therefore,

10 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
11 HOUSES THEREOF CONCURRING, That in Ex parte Ankrom, the
12 Supreme Court of Alabama correctly interpreted the
13 chemical-endangerment statute in holding that the meaning of
14 the word "child" includes unborn children.