

**ASSEMBLY CONCURRENT
RESOLUTION No. 156**

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 27, 2025

Sponsored by:

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

SYNOPSIS

Proposes constitutional amendment recognizing fundamental right to reproductive freedom.

CURRENT VERSION OF TEXT

As introduced.



1 **A CONCURRENT RESOLUTION** proposing to amend Article I of the
2 New Jersey Constitution by adding a new paragraph.

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4 **BE IT RESOLVED** by the General Assembly of the State of New
5 Jersey (the Senate concurring):

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7 1. The following proposed amendment to the New Jersey
8 Constitution is agreed to:

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10 **PROPOSED AMENDMENT**

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12 Amend Article I by adding a new paragraph 24 to read as
13 follows:

14 24. Every person shall have the fundamental right to
15 reproductive freedom. This fundamental right includes the right to
16 access contraception, choose or refuse sterilization, carry a
17 pregnancy to term and give birth, or have an abortion. Neither the
18 State nor its subdivisions shall deny or abridge this right.

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20 2. When this proposed amendment to the Constitution is finally
21 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
22 shall be submitted to the people at the next general election
23 occurring more than three months after the final agreement and
24 shall be published at least once in at least one newspaper of each
25 county designated by the President of the Senate, the Speaker of the
26 General Assembly and the Secretary of State, not less than three
27 months prior to the general election.

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29 3. This proposed amendment to the Constitution shall be
30 submitted to the people at that election in the following manner and
31 form:

32 There shall be printed on each official ballot to be used at the
33 general election, the following:

34 a. In every municipality in which voting machines are not used, a
35 legend which shall immediately precede the question as follows:

36 If you favor the proposition printed below make a cross (X), plus
37 (+), or check (✓) in the square opposite the word "Yes." If you are
38 opposed thereto make a cross (X), plus (+) or check (✓) in the
39 square opposite the word "No."

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41 b. In every municipality the following question:

	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT TO PROVIDE FOR CONSTITUTIONAL RIGHT TO REPRODUCTIVE FREEDOM</p> <p>Do you approve amending the Constitution to place the right to reproductive freedom in the Constitution? Reproductive freedom includes the right to access contraception, choose or refuse sterilization, carry a pregnancy to term and give birth, or have an abortion.</p> <p>Currently, the right to reproductive freedom in New Jersey is established by court decisions and State statute.</p>
	<p>NO</p>	<p>INTERPRETIVE STATEMENT</p> <p>This proposed amendment would establish in the New Jersey Constitution the right to reproductive freedom. Reproductive freedom includes the right to access contraception, choose or refuse sterilization, carry a pregnancy to term and give birth, or have an abortion.</p> <p>The amendment provides that the State and its political subdivisions, such as a county or municipality, cannot take any action that infringes on a person’s right to reproductive freedom.</p> <p>Currently, the right to reproductive freedom in the State is established by court decisions and State statute. This amendment would place the right to reproductive freedom in the State Constitution.</p>

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STATEMENT

This proposed constitutional amendment would set out the fundamental right to reproductive freedom in the State Constitution. Reproductive freedom includes the right to access contraception, choose or refuse sterilization, carry a pregnancy to term and give birth, or have an abortion.

Reproductive freedom in New Jersey is currently governed by case law and statute. The right to an abortion, in particular, is established by State case law, and was codified into statute by P.L.2021, c.375, commonly known as the “Freedom of Reproductive Choice Act.” Although the State right to an abortion is not expressly written in the New Jersey Constitution, New Jersey courts have inferred the existence of this right based on the State Constitution’s broad protections of individual rights to privacy and liberty, and have concluded that the New Jersey Constitution protects a pregnant person’s right to an abortion in the State.