1 State of Arkansas
2 94th General Assembly   A Bill
3 Regular Session, 2023   SENATE BILL 446
4
5 By: Senator J. Bryant
6 By: Representative Underwood
7
8   **For An Act To Be Entitled**
9   AN ACT TO AMEND THE LAW CONCERNING THE PRO-LIFE
10   DESIGNATION OF POLITICAL SUBDIVISIONS; TO ALLOW
11   MUNICIPALITIES, COUNTIES, AND OTHER POLITICAL
12   SUBDIVISIONS TO STATE BY RESOLUTION THAT THEY HAVE A
13   PRO-LIFE POLICY; AND FOR OTHER PURPOSES.
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16   **Subtitle**
17   TO ALLOW MUNICIPALITIES, COUNTIES, AND
18   OTHER POLITICAL SUBDIVISIONS TO STATE BY
19   RESOLUTION THAT THEY HAVE A PRO-LIFE
20   POLICY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25   SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended
26 to add an additional section to read as follows:
27   14-1-108. Pro-Life City, Pro-Life County, or Pro-Life Political
28 Subdivision designation.
29   (a) A municipality, county, or other political subdivision may state
30 by resolution:
31   (1) That the policy of the municipality, county, or political
32 subdivision is to promote and protect the dignity and humanity of all persons
33 at all stages of life from conception until natural death;
34   (2) That the municipality, county, or political subdivision is
35 to be known as a "Pro-Life City", a "Pro-Life County", or a "Pro-Life
36 Political Subdivision"; and

1	(3) The following findings:
2	(A) The Declaration of Independence declares that all men
3	are created equal, and that they are endowed by their Creator with certain
4	unalienable rights, including the right to life;
5	(B) Arkansas Constitution, Amendment 68, states that the
6	policy of the state is to protect the life of every unborn child from
7	conception until birth;
8	(C) It is the duty of state and local government to
9	protect the unalienable right to life of every person within each respective
10	jurisdiction;
11	(D) The United States Supreme Court found in Poelker v.
12	Doe, 432 U.S. 519 (1977), that the United States Constitution does not
13	prohibit a municipality using democratic processes from expressing a
14	preference for childbirth rather than abortion; and
15	(E) The United States Supreme Court found in Dobbs v.
16	Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United
17	States Constitution does not confer a right to abortion.
18	(b) A municipality, county, or other political subdivision that passes
19	a resolution under subsection (a) of this section may promote the Pro-Life
20	City, Pro-Life County, or Pro-Life Political Subdivision status in a manner
21	consistent with other law, including without limitation by:
22	(1) Placing signs along rights-of-way near the boundaries of the
23	municipality, county, or political subdivision;
24	(2) Advertising in any promotion, advertisement, or public
25	relations effort;
26	(3) Placing signs or banners on municipal, county, or political
27	subdivision property;
28	(4) Placing a slogan or other notation on utility billing or
29	other communications to municipal, county, or political subdivision
30	residents;
31	(5) Producing and distributing signs, decals, or other material
32	for businesses or residents to voluntarily use and display;
33	(6) Promoting at festivals, parades, or other public events;
34	(7) Urging municipal, county, or political subdivision employees
35	to develop and implement innovative and creative ways for promotion;
36	(8) Placing a slogan or other notation on publicly owned

1 vehicles;

2   (9) Declaring pro-life observances, such as a pro-life day or

3 pro-life month;

4   (10) Encouraging local schools and civic clubs to promote the

5 dignity of innocent human life;

6   (11) Encouraging local places of worship to promote the sanctity

7 of innocent human life;

8   (12) Erecting monuments or other permanent memorials to lives

9 lost to abortion;

10   (13) Establishing a cemetery or other place for the dignified

11 burial of the unborn and for memorials to those who have died in an abortion;

12 and

13   (14) Using public service announcements.

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15   SECTION 2. Arkansas Code § 14-54-805 is repealed.

16 ~~14-54-805. Pro-Life City designation.~~

17 ~~(a) A municipality may state by resolution:~~

18 ~~(1) That the policy of the municipality is to promote and~~

19 ~~protect the dignity and humanity of all persons at all stages of life from~~

20 ~~conception until natural death;~~

21 ~~(2) That the municipality is to be known as a "Pro-Life City";~~

22 ~~and~~

23 ~~(3) The following findings:~~

24 ~~(A) The Declaration of Independence declares that all men~~

25 ~~are created equal, and that they are endowed by their Creator with certain~~

26 ~~unalienable rights, including the right to life;~~

27 ~~(B) Arkansas Constitution, Amendment 68, states that the~~

28 ~~policy of the state is to protect the life of every unborn child from~~

29 ~~conception until birth;~~

30 ~~(C) It is the duty of state and local government to~~

31 ~~protect the unalienable right to life of every person within each respective~~

32 ~~jurisdiction; and~~

33 ~~(D) The United States Supreme Court found in Poelker v.~~

34 ~~Doe, 432 U.S. 519 (1977), that the United States Constitution does not~~

35 ~~prohibit a municipality using democratic processes from expressing a~~

36 ~~preference for childbirth rather than abortion.~~

1   (b) A municipality that passes a resolution under subsection (a) of

2   this section may promote the Pro-Life City status in a manner consistent with

3   other law, including without limitation by:

4   (1) Placing signs along rights-of-way near the boundaries of the

5   municipality;

6   (2) Advertising in any promotion, advertisement, or public

7   relations effort;

8   (3) Placing signs or banners on municipal property;

9   (4) Placing a slogan or other notation on municipal utility

10   billing or other communications to municipal residents;

11   (5) Producing and distributing signs, decals, or other material

12   for businesses or residents to voluntarily use and display;

13   (6) Promoting at festivals, parades, or other public events;

14   (7) Urging municipal employees to develop and implement

15   innovative and creative ways for promotion;

16   (8) Placing a slogan or other notation on publicly owned

17   vehicles;

18   (9) Declaring pro-life observances, such as a pro-life day or

19   pro-life month;

20   (10) Encouraging local schools and civic clubs to promote the

21   dignity of human life;

22   (11) Encouraging local places of worship to promote the sanctity

23   of human life;

24   (12) Erecting monuments or other permanent memorials to lives

25   lost to abortion;

26   (13) Establishing a cemetery or other place for the dignified

27   burial of the unborn and for memorials to those who have died in an abortion;

28   and

29   (14) Using public service announcements.

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