

EQUAL PROTECTION OF ANY LIVING CHILD IN COLORADO

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

SECTION 1. IN COLORADO REVISED STATUTES, **ADD** PART 9 TO ARTICLE 6 OF TITLE 18 AS FOLLOWS:

Part 9

KILLING A CHILD PROHIBITED

18-6-901. Declaration of the People.

1. THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT:
2. THE WILL OF THE PEOPLE IN THE STATE OF COLORADO UPHOLD THE US CONSTITUTION ACCORDING TO ARTICLE VI, AND PARTICULAR TO THIS INITIATIVE PARAGRAPH 1, AND AMENDMENTS V, IX, X, XI, AND XIV SECTION 1.
3. THE STATE OF COLORADO RESERVES EXERCISING ITS CONSTITUTIONAL AND GOD-GIVEN DUTIES TO PROVIDE EQUAL PROTECTION TO ALL INDIVIDUALS WITHIN ITS JURISDICTION.
4. CURRENTLY, IT IS AGAINST THE LAW TO COMMIT MURDER IN COLORADO.
5. CURRENTLY, NOT ALL CHILDREN ARE PROTECTED IN COLORADO FROM MURDER AND ARE DISCRIMINATED AGAINST AND PREJUDICED BASED ON AGE AND LEVEL OF DEVELOPMENT.
6. THIS INITIATIVE WOULD PROHIBIT THE INTENTIONAL KILLING OF ANY LIVING CHILD AT ANY STAGE OF DEVELOPMENT BEFORE, DURING OR AFTER BIRTH.

18-6-902. Definitions. AS USED IN THIS PART 9:

1. **"MURDER"** MEANS THE ACT OF USING OR PRESCRIBING ANY INSTRUMENT, MEDICINE, DRUG, OR ANY OTHER SUBSTANCE, DEVICE, OR MEANS WITH THE INTENT TO KILL A LIVING HUMAN PRIOR TO, DURING, OR AFTER BIRTH. THIS DOES **NOT** INCLUDE SUCH USE, PRESCRIPTION, OR MEANS WITH AN INTENT OR ATTEMPT TO:
 - a. SAVE THE LIFE OR PRESERVE THE HEALTH OF THE LIVING CHILD;
 - b. SAVE THE LIFE OR PRESERVE THE HEALTH OF BOTH MOTHER AND LIVING CHILD;
 - c. REMOVE A CHILD NO LONGER LIVING; OR
 - d. REMOVE OR ATTEMPT TO RELOCATE AN ECTOPIC PREGNANCY.

(2) **"LIVING CHILD"** OR **"CHILDREN"** REFER TO THE SCIENTIFIC, BIOLOGICALLY DEFINED LIVING HUMAN BEFORE, DURING, AND AFTER BIRTH UNTIL REACHING ADULTHOOD.

18-6-903. Killing a living child prohibited.

1. **UNLAWFUL CONDUCT.** IT IS UNLAWFUL FOR ANY PERSON TO INTENTIONALLY OR RECKLESSLY CAUSE THE DEATH OF ANY CHILD OF ANY AGE OR DEVELOPMENTAL STAGE, ABILITY OR DISABILITY, INCLUDING BEFORE, DURING, OR AFTER BIRTH. ALL LIVING CHILDREN WILL BE PROTECTED EQUALLY.
 - a. **CHILDREN** WITH POOR PROGNOSIS OR DISABILITY WILL BE PROTECTED FROM PURPOSEFUL DEATH TO LIVE THEIR ONE LIFE TO THEIR FULLEST EXTENT POSSIBLE.
 - b. **CHILDREN** WILL BE PROTECTED FROM PURPOSEFUL DEATH REGARDLESS OF AGE, DEVELOPMENTAL ABILITY OR DISABILITY, HEALTH, ESTIMATED PROGNOSIS, SEX/GENDER, SOCIO-ECONOMIC BACKGROUND, ORIGIN, NATIONALITY, OR ETHNICITY.

- c. **CHILDREN** WHOSE PARENTS DO NOT WANT THEM, OR CANNOT CARE FOR THEM, WILL BE A ADOPTED THROUGH A REPUTABLE ADOPTION AGENCY OR BY A KNOWN AND TRUSTED EXTENDED FAMILY MEMBER.
- d. **CHILDREN** WHOSE PARENTS ARE FACING CHALLENGES WITH PARENTING WILL BE REFERRED TO AVAILABLE COMMUNITY RESOURCES TO ADDRESS THE SPECIFIC CHALLENGES.
- e. **CHILDREN** CONCEIVED FROM RAPE OR INCEST WILL BE PROTECTED EQUALLY AS OTHER CHILDREN.
- f. **CHILDREN WHOSE** MOTHERS' LIVES ARE PHYSICALLY THREATENED DUE TO PREGNANCY WILL RECEIVE BEST MEDICAL CARE AVAILABLE TO SAVE THEIR OWN LIVES PRIOR TO, DURING, AND AFTER PREGNANCY TERMINATION.

1. **PENALTIES.** ANY PERSON WHO INTENTIONALLY, KNOWINGLY, OR RECKLESSLY CAUSES THE DEATH OF A LIVING CHILD AT ANY AGE OR STAGE OF DEVELOPMENT PRIOR, DURING, OR AFTER BIRTH WILL BE SUBJECT TO CRIMINAL PROCESSES, PROSECUTION, AND PENALTIES EQUAL TO THAT OF MURDERING AN ADULT AND WITH EQUAL CONSIDERATIONS AND LEGAL DEFENSE.

1. **ENFORCEMENT.** THE ATTORNEY GENERAL OF COLORADO SHALL DIRECT ENFORCEMENT AND TREAT AS VOID AND OF NO EFFECT ANY AND ALL STATUTES, REGULATIONS, TREATIES, OR COURT RULINGS THAT WOULD DEPRIVE ANY LIVING CHILD BEFORE, DURING, OR AFTER BIRTH THEIR CONSTITUTIONAL RIGHTS AND EQUAL PROTECTIONS UNDER THE LAW.

ANY PERSON MAY BRING A CIVIL ACTION AGAINST ANY PERSON WHO KNOWINGLY ENGAGES IN CONDUCT THAT AIDS OR ABETS KILLING A CHILD BEFORE, DURING, OR AFTER BIRTH, INCLUDING PAYMENT OR REIMBURSEMENT FOR KILLING A CHILD BEFORE, DURING, OR AFTER BIRTH.

SECTION 2. IN COLORADO REVISED STATUTES, 12-240-121, ADD (1)(NN) AS FOLLOWS:

12-240-121. Unprofessional conduct-definitions. (1) "Unprofessional conduct" as used in this Article 240 means:

(nn) A VIOLATION OF SECTION 18-6-903.

SECTION 3. IN COLORADO REVISED STATUTES, 12-240-125, **ADD** (9.5) AS FOLLOWS:

12-240-125. Disciplinary action by board – immunity rules.

(9.5) IF THE BOARD FINDS A LICENSEE COMMITTED UNPROFESSIONAL CONDUCT IN VIOLATION OF SECTION 12-240-121 (1)(nn), THE BOARD SHALL SUSPEND THE LICENSEE'S LICENSE INDEFINITELY.

SECTION 4. Effective date-applicability-self-executing. (1) This act takes effect from and after the date of the official declaration of the vote, and applies to offenses committed on or after said date.

- 1. The provisions of this initiative are self-executing.