

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2293

By Delegates McGeehan and Coop-Gonzalez

[Introduced January 11, 2023; Referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §16-2S-1, §16-2S-2, and §16-2S-3, all relating to the creation of the Life at
 3 Conception Act of 2023; providing for the right to life to be guaranteed to all human beings,
 4 and providing for definitions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2S. LIFE AT CONCEPTION ACT.

§16-2S-1. Short title.

1 This article may be cited as the "Life at Conception Act of 2023."

§16-2S-2. Right to Life.

1 (a) In general — To implement equal protection for the right to life of each born and preborn
 2 human person, and pursuant to the duty and authority of the legislative body, including the power
 3 under section 8 of Article I of the Constitution of the United States and Article VI of the Constitution
 4 of the State of West Virginia to make necessary and proper laws and the power under section five
 5 of the 14th Amendment to the Constitution of the United States, we hereby declare that the right to
 6 life guaranteed by the Constitutions of the United States and the State of West Virginia is vested in
 7 each human being.

8 (b) Nothing in this article shall be construed to require the prosecution of any woman for the
 9 death of her unborn child, to prohibit in vitro fertilization, or to prohibit the use of birth control or
 10 another means of preventing fertilization.

§16-2S-3. Definitions.

1 In this article, the following definitions apply:

2 (a) HUMAN PERSON; HUMAN BEING — The terms "human person" and "human being"
 3 include each member of the species homo sapiens at all stages of life, including the moment of
 4 fertilization or cloning, or other moment at which an individual member of the human species
 5 comes into being; and

6 (b) STATE — For purposes of applying the 14th Amendment to the Constitution of the

- 7 United States and other applicable provisions of the Constitution to carry out §16-2P-2 of this
8 code, the term "State" is defined as the State of West Virginia.

NOTE: The purpose of this bill is to guarantee the right to life to all human beings and to provide definitions.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.