RESOLUTIONS

for

PRO-LIFE CITIES & COUNTIES

TOOLKIT

Pro-Life
COMMUNITY

Family Council | 414 South Pulaski, Suite 2, Little Rock, AR 72201
(501) 375-7000 | info@FamilyCouncil.org

Pro-Life
COMMUNITY

ARKANSAS PRO-LIFE RESOLUTIONS

Cities, Towns, Counties, School Districts, Fire Districts, and Other Political Subdivisions Standing for Human Life

- ✓ SAVING THE UNBORN
- ✓ PROTECTING THE ELDERLY
- ✓ CARING FOR THE DISABLED

Passing resolutions to protect the dignity and humanity of human life one community at a time.

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FAMILY COUNCIL

Dear Pro-life Friends,

In 2021 the Arkansas General Assembly passed Act 392 which affirms the right of municipalities to pass resolutions declaring themselves to be pro-life. The law was sponsored by Rep. Kendon Underwood (R – Cave Springs) and Sen. Gary Stubblefield (R – Branch). As far as we know, this was the first law of its kind in the nation.

In 2023 the Arkansas General Assembly updated Act 392 by passing Act 699. This law affirms the right of not only counties but any political subdivision of Arkansas to pass a resolution declaring itself to be pro-life. In addition Act 699 updates the recommended wording for the resolution to include a reference to the Dobbs v Jackson Women's Health decision that made most abortions in Arkansas illegal.

Examples of Arkansas political subdivisions include: Counties, municipalities (cities and towns), townships, school districts, fire department districts, irrigation and water districts, sewer and sanitation districts, flood control districts or any other publicly governed entity where votes are taken to establish policies or procedures for a district or other specified area.

Municipalities, counties, school districts, and other political subdivisions have always had the legal right to pass resolutions, including resolutions for or against abortion. Act 392 and Act 699 make this clearer. Act 699 contains model language for a non-binding pro-life resolution that lawmakers and legal experts believe will avoid any legal issues.

The resolution wording found in Act 699 is not the only wording that could be used in a resolution. Local governments are still free to propose any wording for a resolution they choose. However, improper wording could create unnecessary opposition or cause the resolution to be tied up in court. That is why we recommend using the model language found in Act 699 (Included in this toolkit).

It is important for citizens in communities where a pro-life resolution passes to know that the passage of the resolution is not the end goal. Passage of a resolution is a vital first step. After the resolution passes, communities can use it as a starting point for ongoing ways to celebrate and promote their pro-life status. Arkansas law contains a list of suggested ways communities can promote their pro-life status. Signs along highways leading into the city, banners on public property, official days of remembrance, marches for life, life-chains, or campaigns like 40 Days for Life can all be a part of the overall effort to change hearts and minds.

Passing a pro-life resolution should mean more than being against abortion. It should instill respect for the dignity of all human life, including the disabled and the elderly. As we promote the dignity of all human life, we decrease the demand for abortion and assisted suicide, and we raise the level of care for the disabled and elderly.

We look forward to a day when a patchwork of pro-life communities fills the entire state of Arkansas. We look forward to a day when abortion is irrelevant and any disregard for the elderly and disabled is no longer tolerated. When your community declares itself to be pro-life, you are doing so much more than putting words on paper. You are taking a stand for righteousness and proclaiming now and to generations yet unborn that your community stands for everyone's God-given right to life.

May God richly bless your pro-life efforts!

Sincerely,

Jerry Cox
President

Introduction

This toolkit is designed to assist anyone who is interested in securing passage of a pro-life resolution in any Arkansas municipality, county, school district, fire district, or other political subdivision. This toolkit contains more information and suggestions than most people will need. In some communities these resolutions will pass easily with little debate or opposition. In other communities debate may be heated and the process may be difficult. This toolkit is primarily designed to help citizens in communities where a pro-life resolution is likely to have a more difficult time passing. However, anyone interested in passing a pro-life resolution should find this toolkit helpful.

GENERAL INFORMATION

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General Information

DISCLAIMER

This toolkit is provided for informational purposes only and is not intended to provide legal or professional advice. If you have specific legal or professional questions or concerns, please consult with a qualified professional or attorney.

WHAT IS A PRO-LIFE RESOLUTION?

From time to time state legislatures, local school boards, county quorum courts, city councils, or other elected bodies pass resolutions to make a statement about a particular issue. A resolution is often used to express approval or disapproval of something that the elected body cannot legally vote on, such as a matter being handled by another jurisdiction, protected by a constitution, or covered by a court ruling. A resolution is a formal way of expressing an opinion or stance that is usually for or against an issue. Sometimes resolutions serve as a call for some other elected person or body to take a particular action. Most resolutions are non-binding which means that they cannot become law and they do not require anyone to take any action. A non-binding resolution cannot be enforced nor does it require anyone to do anything. A pro-life resolution is a statement made by a local elected body that affirms the dignity of human life. There are no laws prohibiting elected bodies from passing resolutions.

HISTORY AND STATUS OF PRO-LIFE RESOLUTIONS AND ORDINANCES

In 2019, Waskom, Texas became the first city in the nation to declare itself to be pro-life. Since then, over 40 cities and a few counties across the nation have passed ordinances or resolutions to protect the unborn and to affirm the dignity of human life.

These proposals differ from city to city. Some are city or county ordinances that ban abortion. Others are resolutions that affirm the dignity of human life. Some establish sanctuary cities for the unborn. Others designate safe cities. The ones banning abortion have not fared as well in court as the ones passing resolutions.

Certain cities in Texas have passed ordinances that criminalized abortion or enacted abortion travel bans. Planned Parenthood dropped a lawsuit against those cities when they agreed to modify their ordinances. In referenda, Santa Rosa County, Florida and Lubbock, Texas passed ordinances prohibiting abortion.

So far cities or counties in Arkansas, Texas, Mississippi, Nebraska, Utah, Florida and Illinois have designated themselves to be pro-life. Texas has a number of these cities and Mississippi has numerous "safe cities for the preborn." In August of 2019, Springdale became the first city in Arkansas to declare itself pro-life. In July of 2021, Washington County became the first county in Arkansas to declare itself pro-life.

The Arkansas Legislature passed Act 392 in 2021. This law affirmed a right that municipalities already have. Act 392 affirmed the right of cities to pass a pro-life resolution. In addition, the law contained model language for communities to use in drafting their own resolution. Lawmakers and legal experts reviewed the language and they believed it would avoid lawsuits.

REASONS FOR ACT 699

The Arkansas Legislature passed Act 699 of 2023 to expand state law to affirm the right of not only cities but also counties and other political subdivisions like school districts, an incorporated town, a fire protection district, an improvement district, and others. In addition, the law contains model language for communities to use in drafting their own resolution. Lawmakers and legal experts have reviewed the language and they believe it will avoid lawsuits.

Act 699 is necessary, because court cases involving abortion have caused some policymakers to assume that no measures that deal with abortions can be upheld by the courts. Those assumptions are untrue. Arkansas and many other states have enacted scores of laws pertaining to abortion, and the courts have upheld them. Resolutions pertaining to abortion have been passed in places around the country with no legal issues. As far as we know, no pro-life resolution anywhere in the country has been challenged.

On a deeper level, the reason for Act 699 is to prompt communities to take a public stand for the dignity of human life. In doing so, citizens across Arkansas will come to understand that they can respect the dignity of human life by standing up for the unborn and by upholding the dignity of every life until the moment of natural death.

As the dignity of human life is honored, our communities will reap the blessings that righteousness brings. As communities across Arkansas declare their pro-life stance, our state will continue to lead our nation in reducing the demand for abortion and in respecting the disabled and the elderly. A resolution follows the excellent laws that the state legislature has passed in Arkansas and it also gives legislators backup and support from their district.

DEFINITION OF POLITICAL SUBDIVISIONS

Political subdivisions are administrative units within a larger political entity, such as a country or a state/province. These subdivisions typically have their own government or governing body, which is responsible for making and enforcing laws and regulations within the boundaries of that subdivision. According to a section in the Arkansas code, a political subdivision means all duly formed and constituted governing bodies created and established under the Arkansas Constitution's authority and this state's laws. While they are generally known in units such as cities and states, they can also include:

- Schools
- School Districts
- Townships
- Villages
- Fire Districts
- Sanitation Districts
- Water Districts
- Utility Districts
- Irrigation Districts
- Drainage Districts
- Flood-control Districts
- Park Districts
- Airport Districts
- Boroughs
- Police
- Regions

WHY PASS A PRO-LIFE RESOLUTION?

Because the U.S. Supreme Court has overturned *Roe v. Wade*, pro-life resolutions are more important now than ever. Instead of the court making abortion policies, voters get to decide. Pro-life resolutions are one way communities can establish a position on abortion.

Cities, counties, school districts, fire districts, and other political subdivisions should pass pro-life resolutions because the hearts and minds of their citizens need to change. Think about the impact it could have on a body of students if a school board declared a school district as pro-life! Too many people still believe abortion is the only solution to an unplanned pregnancy. Too many people are beginning to think that assisted suicide is the only way for a person to have dignity in their final days.

Many current office-holders have campaigned on their pro-life stand. Voters who support those elected officials because they are pro-life expect those elected officials to support pro-life policies. By passing a pro-life resolution, elected officials who are pro-life can keep that promise to voters and to their own conscience.

When citizens see their leaders take a stand for the dignity of human life many of those citizens will follow. No community wants to be named among those who saw wrong and failed to right it, who saw injustice and failed to stand against it, or who saw death and failed to stop it.

History tells us that there are blessings that follow righteousness. Put simply, cities and counties should pass pro-life resolutions because it is the right thing to do.

RESOLUTIONS ARE EVEN MORE RELEVANT IN LIGHT OF DOBBS

You may be wondering why passing a pro-life resolution is important if abortion is already illegal in Arkansas except to save the life of the mother. It's crucial to understand that even though abortion is illegal, the battle to promote a culture that values life is far from over. We must foster the belief that every life is inherently valuable and deserving of protection. Merely outlawing abortion without taking additional steps to emphasize the significance of life would only address the most obvious symptoms of the issue. Abortion became legal because people forgot the value of life, disregarding the fact that unborn children are, indeed, children.

By passing pro-life resolutions, we demonstrate to our community and children that we hold life in high regard and believe in its intrinsic worth. Even though abortion is no longer legal in Arkansas except to save the life of the mother, it doesn't mean we should halt all efforts to protect life. Passing pro-life resolutions is one of the most effective ways to accomplish this. It reinforces the importance of life.

FINDING HELP

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Finding Help

HELP FROM ARKANSAS ORGANIZATIONS

Pro-life organizations based in Arkansas may be able to help you pass the resolution by:

1. Providing expert testimony in a hearing
2. Providing educational material
3. Connecting you with their supporters in your area
4. Contacting their list of people and encouraging them to contact elected officials in your area
5. Providing advice regarding your strategy for passing the resolution
6. Providing advice regarding dealing with the media
7. Providing answers to difficult questions posed by people in your community

Here are some of the organizations you may want to contact:

Family Council
414 South Pulaski St., Suite 2
Little Rock, AR 72201
(501) 375-7000
familycouncil.org
info@FamilyCouncil.org
facebook.com/familycouncil
Instagram: @arfamilycouncil

For more information, scan the QR Code.

AR Future Foundation
414 S. Pulaski St., Suite 7
Little Rock, AR 72201
(501) 375-7000
ARFuturefoundation.com
charisse@arfuturefoundation.com

Arkansas Right to Life
1515 South University Ave
Little Rock, AR 72204
(501) 663-4237
ARTL.org

40 Days For Life
Cell: (501) 231-8202
(501) 231-8202
40daysforlife.com/en/littlerock
LR40daysforlife@gmail.com

Catholic Diocese
2500 N. Tyler St.
Little Rock, AR 72207
(501) 664-0340
www.dolr.org

NWA Respect Life
1200 W. Walnut, Suite 3406
Rogers, AR 72756
(469) 231-1959
nwarespectlife.org
nwarespectlifecouncil@gmail.com
www.facebook.com/NWARespectLife

LOCAL ALLIES

As you work for passage of the resolution, you may want to enlist the help of others in your community. You won't find all of these groups in your community, and not all of the ones there will be interested in helping you. However, if you ask you, are likely to find individuals and groups that will help. Here are some possibilities.

1. Faith-based
    a. Pastors and churches
    b. Faith-based ministries
    c. Local ministerial alliance
    d. Church youth ministries
    e. Bible studies
    f. Sunday School Classes
    g. Prayer groups
2. Local clubs and organizations
    a. Civic clubs
3. Local pro-life groups
    a. Pregnancy centers
    b. Local Chapters of Arkansas Right to Life
    c. Life Chain organizers
    d. 40 Days for life organizers
    e. Abortion recovery ministries
    f. Adoption and foster care organizations
4. Statewide organizations
    a. Arkansas Right to Life
    b. Family Council
    c. An American Speaks
    d. Arkansas Faith and Ethics Council
5. Political
    a. Members of the Arkansas Legislature
    b. Local political organizations
    c. TEA parties
6. Schools
    a. Christian clubs at the public school
    b. Home school support groups
    c. Private schools
    d. Christian Schools
7. Others
    a. Retired citizens
    b. Local doctors or nurses
    c. Community and business leaders
    d. Educators
    e. Lawyers

QUESTIONS & ANSWERS

Note: Use this material to prepare yourself for explaining the resolution to others.

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Questions & Answers

GENERAL QUESTIONS

1. **Question: Since the resolution's recommended wording outlined in Act 699 says that it is the duty of state and local government to protect the unalienable right to life of every person within each respective jurisdiction, can this be interpreted to be a resolution against the death penalty?**

   Answer: No. This resolution does not take a position on the death penalty. This resolution is about respecting the dignity of the lives of unborn children, the disabled, and the elderly. Thomas Jefferson who referenced the unalienable right to life, liberty and the pursuit of happiness in the Declaration of Independence supported the death penalty. Anyone who argues that this resolution is anti-death penalty must also successfully argue that the Declaration of Independence is against the death penalty. Act 699 also specifically states "innocent human life" more than once.

   Answer: This resolution does not support or oppose the death penalty. Whether or not one supports or opposes the death penalty, our society seeks to protect the dignity and humanity of people under sentence of death. This is one of the reasons prisoners are not tortured or subjected to cruel or deliberately humiliating forms of punishment or death.

2. **Question: Can a local citizen introduce a resolution before a city council, quorum court, or school board?**

   Answer: Only those who have been elected to these bodies can introduce a resolution, unless local citizens choose to go through the difficult process of circulating a petition and placing the issue on the ballot at a local election.

3. **Question: Who can write or draft a pro-life resolution?**

   Answer: Anyone can write or draft language for a pro-life resolution. We suggest that recommended language outlined in Act 699 be used. No matter which language is used, a member of the city council or county quorum court will need to have the city or county attorney approve the language and formatting before the resolution is introduced. We suggest giving the recommended language found in Act 699 to a member of the city council, quorum court, or school board so they can have a city or county attorney or school board member get it properly drafted (see pages 43–53).

4. **Question: What if the group supporting the resolution cannot agree on which language to use?**

   Answer: The elected official who has agreed to sponsor the resolution may be able to help you decide. After all, it will be the elected official—not the citizens who promote it—who will have their name and reputation on the line.

5. **Question: What if we try and fail?**

   Answer: Failing without there ever being a vote taken is not that bad. However, having your resolution defeated in a vote is harder to overcome. You may have to work extra hard to persuade elected officials or you may have to wait for different people to get elected.

6. **Question: Since this is a political activity, can churches or other non-profit organizations get involved?**

   Answer: Yes. Churches can be fully involved because this is an "issue" campaign. A pastor can support the resolution either in his personal capacity or as the pastor of the church. This is how churches have, over the years, opposed the expansion of gambling or alcohol. If they spend church funds the amount spent needs to stay below 5% of their annual income. If a church spends $400 or more in a calendar quarter supporting a resolution, the church may need to file paperwork with the Secretary of State. Anyone concerned about this can contact the Secretary of State's office in Little Rock or call Family Council at (501) 375-7000.

7. **Question: Since local citizens may be "lobbying" a city council or county quorum court, do they have to register as lobbyists with the Arkansas Ethics Commission or Secretary of State?**

   Answer: No. Local citizens who are talking to elected officials and urging others to do the same don't have to register. If a local group is formed to lobby city or county government and the groups spends $400 or more in a calendar quarter the group needs to register with the Secretary of State. Anyone concerned about this can contact the Secretary of State's office in Little Rock or call Family Council at (501) 375-7000.

8. **Question: Can't we just quickly and quietly have someone introduce the resolution in a meeting of the city council, quorum court, or school board and pass it without making this a big deal?**

   Answer: Yes. This depends entirely on the community and the makeup of the local city council, quorum court, or school board. If the mayor, county judge, a school board member or most of the voting members support the measure it will be up to them to decide how public they want to be with the passage of the resolution. Do not assume that there will be no opposition to the passage of the pro-life resolution. Be prepared to deal with opposition.

9. **Question: Is it legal for a city, county, school district, or other political subdivision to pass a pro-life resolution?**

   Answer: Yes. It has always been legal for cities, counties, school districts, and other political subdivisions to pass resolutions declaring or supporting whatever they choose. As long as these resolutions do not carry penalties for their violation or require anyone to do anything, they are legal.

10. **Question: Is this a city or county ordinance that makes abortion illegal or carries the force of law?**

    Answer: No. This is a non-binding resolution that does not require anything. It makes a statement.

11. **Question: Why not pass a city or county ordinance banning abortion?**

    Answer: Cities where pro-life ordinances have been enacted have had trouble in court. At this time, it is unlikely that any city or county ordinance that restricts abortion would withstand a court challenge.

12. **Question: Will the passage of this resolution result in a lawsuit?**

    Answer: No. This is extremely unlikely. As far as anyone can tell, no pro-life resolution has been challenged in court, let alone struck down.

13. **Question: Do we have to use any particular wording for our resolution?**

    Answer: No. Cities, counties, school districts, and other political subdivision are free to create their own wording. The Arkansas legislature approved the suggested resolution wording found in Act 699. This wording has been vetted by legal experts as well. Cities, counties, school districts, and other political subdivision would be on safer ground to use the wording outlined in Act 699 (see pages 43–53).

14. **Question: What difference will the passage of this resolution make?**

    Answer: Resolutions are a good way for cities, counties, school districts, and other political subdivisions to make a statement about what they support or oppose. In doing so, they provide guidance to the rest of the community regarding an important social or moral issue. Resolutions also contribute to creating a culture of life in our state.

15. **Question: Why do we need to pass these since abortion is illegal?**

    Answer: Even though abortion is now illegal in Arkansas except to save the life of the mother it is still right to proclaim that your community is pro-life. By declaring your municipality, county, or political subdivision as pro-life, you are encouraging a culture of life amongst voters within your community.

16. **Question: Why does this matter in post-Roe America?**

    Answer: Post-Roe America still has many pro-abortion states. We are called to be a light to the world and passing pro-life resolutions is a way to do that. Passing pro-life resolutions can ensure that your elected officials keep their promises and represent Arkansas as the pro-life state we claim to be. As people in other states see this they may be moved to have their elected officials do the same.

17. **Question: Is it worth it to pass a pro-life resolution for a small political subdivision such as my area's school or water system?**

    Answer: Yes! Even if it is as small as your school or local water system, passing a pro-life resolution sends the message that your community values the life of the unborn, elderly, and disabled. This message could eventually expand to larger areas and your community will have the honor of being the starting point.

QUESTIONS OPPONENTS MAY ASK

1. **Question: Aren't you just using our city, county, or school district as a platform to advance a pro-life political agenda?**

   Answer: Political agendas to raise or lower taxes as well as scores of other ideas are mostly what local governments discuss and vote on. There is nothing inappropriate in asking a city or county government or school district and other political subdivision to vote on an issue that citizens believe is important.

2. **Question: Why should our city, county, or school district go through an unnecessary conflict that creates division?**

   Answer: School board members and city or county elected officials should be ready and willing to discuss and vote on any issue that citizens believe is important. Much of the time, really important issues do cause conflict and sometimes division.

3. **Question: Aren't there more important issues?**

   Answer: Whether passing a pro-life resolution is important enough to vote on is up to the elected leaders. Reasonable people often disagree on what is important. Most local government leaders have time to deal with a number of issues.

4. **Question: Doesn't this resolution violate the constitutionally protected right to an abortion?**

   Answer: No. This resolution does not prevent anyone from obtaining an abortion.

5. **Question: Isn't this resolution unnecessary?**

   Answer: No. Now that *Roe v. Wade* and *Planned Parenthood v. Casey* have been overturned, it is now up to local governments to decide what to do about abortion. The dignity of human life is at the core of our civilization. Throughout history it has been necessary for good people to stand up and protect the dignity of human life. This resolution does just that.

6. **Question: Haven't pro-life sanctuary cities in Texas and elsewhere been sued?**

   Answer: Some have, but this happened before *Roe v. Wade* was overturned. Their measures were ordinances that banned abortions inside the city limits. Some instituted criminal penalties. Some cities in Texas rewrote their measures to prevent further legal action. This Arkansas pro-life resolution does not ban abortion or contain any unconstitutional language.

7. **Question: Doesn't this stigmatize abortion providers and patients?**

   Answer: No. Expressing a preference for defending the dignity of human life is at the core of our humanity. This resolution doesn't even mention abortion providers or women who have had an abortion.

8. **Question: Is this part of an effort to ban all abortions?**

   Answer: No. This resolution doesn't ban anything. Instead it affirms the dignity of human life. Instead of banning abortions, it seeks to make abortion or euthanasia unacceptable.

9. **Question: Doesn't this resolution shame and manipulate women?**

   Answer: There is nothing shameful about affirming the dignity of all human life.

10. **Question: Since a large number of citizens may disagree with this resolution, why should it be passed?**

    Answer: Large numbers of citizens support or oppose all kinds of issues and measures at the city or county level. This is why after a vote is taken one side wins or loses and the outcome is settled.

11. **Question: Won't this hurt a city or county's ability to attract businesses, industry, or new residents?**

    Answer: No. There is no evidence from anywhere in the nation that pro-life resolutions have hurt the economy of any place or caused people to avoid living there.

12. **Question: Doesn't this resolution make a city, county, or school district appear backward, regressive, out of step, or outdated?**

    Answer: Affirming the dignity of human life never goes out of style. If it ever does, we hope good people in good communities will continue to stand for what is right.

13. **Question: Can't cities use zoning laws and land-use codes to shutter or restrict abortion clinics?**

    Answer: They might be able to do this with a separate city zoning ordinance. This resolution has nothing to do with zoning or land use. It is a non-binding resolution.

14. **Question: Aren't these resolutions being passed across the nation just to confuse and intimidate those seeking abortions?**

    Answer: There is nothing confusing about being pro-life. Abortion is illegal in Arkansas except to save the life of the mother. Arkansans have proven to be overwhelmingly pro-life. There is nothing confusing about passing a pro-life resolution in a community where there are no abortion providers.

15. **Question: If these resolutions are not actually banning abortion facilities or preventing the dispensing of abortifacients, then isn't it just virtue signaling?**

    Answer: Most people believe virtue is good. In fact according to the Arkansas Constitution intelligence and virtue are the reasons we have public education. Communities should be proud to proclaim their honorable, moral, and upright status. If they do so, maybe some of their citizens will live up to those standards.

16. **Question: Since abortion is illegal in Arkansas expect to save the life of the mother, why should a community where no abortions are performed pass a pro-life resolution?**

    Answer: People in every county in Arkansas can go out of state for abortions. Maybe these resolutions will cause them to stop and think before making a serious mistake. In addition, these resolutions are not just about abortion. They are about respecting the lives of the elderly and the disabled as well.

RESPONDING TO RIDICULOUS QUESTIONS OR STATEMENTS

1. **Question: Why is there no abortion exception for rape or incest in the resolution?**

   Answer: This resolution has nothing to do with who can get an abortion.

2. **Question: Isn't this an unnecessary interference in people's healthcare?**

   Answer: This resolution does not affect healthcare of any kind.

3. **Question: Does this resolution apply to city, county, or school employees?**

   Answer: No. This resolution does not require anyone to do anything.

4. **Question: Will the resolution affect the ability of anyone to get an abortion or have access to contraceptives?**

   Answer: No.

5. **Statement: This resolution is too vague.**

   Answer: This resolution is as specific as it needs to be. Since resolutions are non-binding and non-enforceable they don't have to be as specific in wording as an ordinance or a state law.

6. **Statement: This resolution is ambiguous and leaves too many unanswered questions.**

   Answer: This resolution is as clear as it needs to be. Resolutions are more general in nature since they are not binding or enforceable.

7. **Statement: Shouldn't abortion remain a personal choice left up to the woman?**

   Answer: This resolution has nothing to do with that question, because it does not restrict abortion.

EDUCATIONAL MATERIAL FOR ELECTED OFFICIALS & OTHERS

Note: Copy and share this material with others.

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ARKANSAS PRO-LIFE RESOLUTIONS

Cities, Towns, Counties, School Districts, Fire Districts, and Other Political Subdivisions Standing for Human Life

✓ SAVING THE UNBORN

✓ PROTECTING THE ELDERLY

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YOUR COMMUNITY CAN PASS A PRO-LIFE RESOLUTION

- In 2021 the Arkansas Legislature passed Act 392 affirming the rights of municipalities to pass resolutions protecting the dignity and humanity of the unborn, the disabled, and the elderly. After the passage of Act 392, over 21 counties passed pro-life resolutions. So, in 2023 the Arkansas Legislature passed Act 699 to expand the law to affirm the rights of municipalities, counties, and other political subdivisions to pass resolutions protecting the dignity and humanity of the unborn, the disabled, and the elderly. Political subdivisions means school districts, fire districts, suburban improvement districts, and more!
- A resolution is not legally binding. It is not enforceable. It does not require anyone to do anything. It is a way a group of elected officials can publicly and formally take a stand.
- In August of 2019, Springdale became Arkansas' first city to pass a pro-life resolution.
- In July of 2021, Washington County became Arkansas' first county to pass a pro-life resolution.
- Since 2019 cities and counties in Texas, Florida, Mississippi, Illinois, Nebraska, Utah, and New Mexico have passed pro-life measures opposing abortion and affirming the dignity of human life.
- The U.S. Supreme Court found in *Poelker v. Doe*, that the United States Constitution does not prohibit a municipality from using democratic processes to express a preference for childbirth rather than abortion.

HOW TO PASS A PRO-LIFE RESOLUTION

1. Get a group together of local citizens who want to pass a pro-life resolution and make a plan.
2. Use the suggested resolution wording found in Act 699 of 2023 (see pages 43–53).
3. Discuss the possible passage with likeminded elected officials and school board members.
4. Get people together in your community, especially church leaders, who will promote the resolution.
5. Get a member of the city council, city board, school board, or county quorum court to introduce the resolution for debate and passage.
6. Have members of the community persuade elected officials and school board members to vote for the resolution.
7. Get individuals to testify at a meeting where passage of the resolution will be discussed.
8. After the resolution passes, look for ways to promote your community's pro-life status.

PROMOTING YOUR PRO-LIFE CITY, TOWN OR COUNTY

Passing a pro-life resolution is good, but ongoing promotion will help change hearts and minds of people living in your community. Cities in Arkansas promote their notoriety for watermelons, ducks, or someone's birthplace. In the same way, communities can also promote their pro-life status. Here are some suggestions found in Act 699.

- Signs along streets or highways.
- Adding Pro-Life to your community's public relations advertising.
- Placing signs or banners on city or county property.
- Distributing signs for businesses or individuals to voluntarily display.
- Promoting it at festivals, parades or other public events.
- Declaring pro-life observances.
- Encouraging places of worship, schools, and civic clubs to promote the sanctity of human life.
- Erecting monuments or other memorials to the lives lost to abortion.

Additional suggestions would be

- Placing copies of resolution in all government offices.
- Promoting Safe Haven Baby Boxes.
- Sending a copy of the resolution to pregnancy resource centers.

WHY CITIES, TOWNS, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS NEED TO PASS A PRO-LIFE RESOLUTION

1. Currently, cities, towns and counties cannot make abortion and assisted suicide illegal, but they can take a formal stand by passing a resolution.

2. Too many people believe abortion and assisted suicide are a ways to solve problems. Some interpret the silence of leaders as approval. By voting for a pro-life resolution those in leadership can send a clear message and set a great example.

3. Many current office-holders have campaigned on their pro-life stand. Voters who support those elected officials because they are pro-life expect those elected officials to support pro-life policies. By passing a pro-life resolution, elected officials who are pro-life can keep that promise to voters and to their own conscience.

4. When citizens see their leaders take a stand for the dignity of human life many of those citizens will follow. People, especially the young, need to see role models with conviction and courage to speak up.

5. No community wants to be named among those who saw wrong and failed to right it, who saw injustice and failed to stand against it, who saw death and failed to stop it.

6. History tells us that there are blessings that follow righteousness. Put simply, cities, counties, and school districts should pass pro-life resolutions because it is the right thing to do.

Scan the QR code to see how many cities and counties have passed a pro-life resolution in Arkansas.

SAMPLE NEWS RELEASE

Below you will find a sample news release that you can use to spread the word about your newly passed resolution.

Contact Name:
Contact Email:
Contact Number:

NEWS RELEASE: [name of your municipality, county, or political subdivision] passes Pro-Life Resolution

FOR IMMEDIATE RELEASE
[date of release]

[City, State]–On [date of passage], [name of the municipality, county, or political subdivision] passed a resolution declaring that [name of the municipality, county, or political subdivision] is Pro-Life.

[statement from spokesperson about the resolution]

The resolution reads:

A RESOLUTION AFFIRMING THE COMMITMENT OF THE CITY OF _____, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE CITY OF _____, ARKANSAS TO BE A PRO-LIFE CITY.

WHEREAS, the Declaration of Independence declares that all men are cre-ated equal, and that they are endowed by their Creator with certain unalien- able rights, including the right to life; and

WHEREAS, Amendment 68 to the Arkansas Constitution states that the policy of the State of Arkansas is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local governments to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court stated in Poelker v. Doe, 432

U.S. 519 (1977), that the United States Constitution does not forbid a munici- pality, pursuant to democratic processes, from expressing a preference for normal childbirth instead of abortion;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of _____, Arkansas:

Section 1:It is the policy of the City of _____ to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

Section 2:The City of _____ declares itself to be a Pro-Life City.

PASSED AND APPROVED this _____ day of _____.

APPROVED:

By: _____
Mayor

ATTEST:

###

PRO-LIFE COMMUNITY BRIEFING DOCUMENTS FOR ELECTED OFFICIALS

Note: Share this material to equip others.

Pro-Life
COMMUNITY

Pro-life Community Briefing Documents for Elected Officials

BACKGROUND

Since 2019 cities and counties in Arkansas, Texas, Florida, Mississippi, Illinois, Nebraska, Utah, and New Mexico have passed pro-life measures opposing abortion and affirming the dignity of human life.

Seven cities in Texas were sued by the ACLU because they passed city ordinances making abortion illegal. Those cities ended up modifying their ordinances by removing criminal penalties and making other changes.

To avoid lawsuits the Arkansas General Assembly passed Act 699, a law affirming the right of municipalities, counties, school districts, fire districts, and more to pass pro-life resolutions.

In August of 2019, Springdale became the first city in Arkansas to pass a pro-life resolution. In July of 2021, Washington County became the first county to pass a pro-life resolution.

Act 699 provides guidance for municipalities, counties, and school districts in passing a pro-life resolution. This guidance is for a resolution, not an ordinance. It contains no mandates and no penalties for violators. It is non-binding.

The U.S. Supreme Court found in *Poelker v. Doe*, that the United States Constitution does not prohibit a municipality from using democratic process to express a preference for childbirth rather than abortion.

No particular language is mandatory since cities and other local governments have always been free to write and enact any resolution they choose.

WHAT THE RESOLUTION DOES

- It establishes a policy to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.
- It declares the city, county, or school district to be pro-life.

WHAT THE RESOLUTION DOES NOT DO

- It does not prohibit abortion.
- It is not an ordinance.
- It does not contain any mandates or penalties.
- It does not require anyone to do anything.

POINTS TO CONSIDER

- Most people in Arkansas agree with this resolution, because most Arkansans are pro-life.
- Since the legislature as well as legal experts have approved the suggested wording of the resolution, there is no worry of a lawsuit.
- Passing this resolution creates a more moral and civil community as citizens become aware of the dignity of human life.
- Passing this resolution helps reduce the demand for abortion as people grow in their respect for the dignity of the unborn.
- Passing this resolution instills in the next generation that they should respect the dignity of all human life.
- Passing this resolution not only respects the dignity of the unborn, but also the dignity of the elderly and the disabled.
- Blessing and goodness follow virtue and decency, so passing this resolution benefits communities.
- Passing this resolution is the right thing to do.

QUESTIONS AND ANSWERS

1. **Question: What authority do municipalities, counties, and other political subdivisions of the state have to pass pro-life resolutions?**

   Answer: Municipalities, counties and other political subdivisions of the state can pass a pro-life resolution because they have always enjoyed the right to pass any resolution they choose. Act 699 simply clarifies the right that cities, counties, and other political subdivisions already have.

2. **Question: Since the recommended wording in Act 699 says that it is the duty of state and local government to protect the unalienable right to life of every person within each respective jurisdiction, can this be interpreted to be a resolution against the death penalty?**

   Answer: No. This resolution does not take a position on the death penalty. This resolution is about respecting the dignity of the lives of unborn children, the disabled, and the elderly. Thomas Jefferson who referenced the unalienable right to life, liberty and the pursuit of happiness in the Declaration of Independence supported the death penalty. Anyone who argues that this resolution is anti-death penalty must also successfully argue that the Declaration of Independence is against the death penalty. Act 699 also specifically says "innocent human life" more than once.

   Answer: This resolution does not support or oppose the death penalty. Whether or not one supports or opposes the death penalty, our society seeks to protect the dignity and humanity of people under sentence of death. This is one of the reasons prisoners are not tortured or subjected to cruel or deliberately humiliating forms of punishment or death.

3. **Question: What is a political subdivision?**

   Answer: Political subdivisions are administrative units within a larger political entity, such as a country or a state/province. These subdivisions typically have their own government or governing body, which is responsible for making and enforcing laws and regulations within the boundaries of that subdivision. That can include:

   - Schools
   - School districts
   - Townships
   - Villages
   - Fire districts
   - Water districts
   - Park districts
   - And more!

   Reference: State Code: 9-14-102 (a) (1), 10-3-402 (f) (4), 11-4-222 (a) (4), 12-75-103 (17), 14-14-308 (c), 14-77-102 (4), 19-11-801 (e) (1), 23-19-202 (10), and 24-10-102 (28)

4. **Question: Is it legal for a city, county, or other political subdivision to pass a pro-life resolution?**

   Answer: Yes. It has always been legal for cities or counties to pass resolutions declaring or supporting whatever they choose. As long as these resolutions carry no penalties for their violation or require anyone to do anything they are legal.

5. **Question: Is this a city or county ordinance that bans abortion?**

   Answer: No. This is a non-binding resolution that does not prohibit or require anything.

6. **Question: Why not pass a city or county ordinance banning abortion?**

   Answer: Before *Roe v. Wade* was overturned, cities where pro-life ordinances were passed had trouble in court. At this time, it is unknown what the courts will do if a city or county enacts an ordinance. Court challenges could be more favorable for an ordinance now that *Roe* was overturned.

7. **Question: Will the passage of this resolution result in a lawsuit?**

   Answer: No, that is extremely unlikely. As far as anyone can tell, no pro-life resolution has been challenged in court, let alone struck down.

8. **Question: Doesn't this resolution violate the constitutionally protected right to an abortion?**

   Answer: No. This resolution does not prevent anyone from obtaining an abortion.

9. **Question: Isn't this resolution unnecessary?**

   Answer: No. Now that *Roe v. Wade* and *Planned Parenthood v. Casey* have been overturned, it is now up to local governments to decide what to do about abortion. The dignity of human life is at the core of our civilization. Throughout history it has been necessary for good people to stand up and protect the dignity of human life. This resolution does just that.

10. **Question: Does this resolution allow any cities or towns to violate any state or federal laws?**

    Answer: No.

11. **Question: Have any Arkansas cities or counties passed a pro-life resolution?**

    Answer: Yes; the city of Springdale was the first city in 2019 and Washington County was the first county in 2021. There are currently over 20 counties and a dozen cities/towns that have passed pro-life resolutions in Arkansas and those numbers are growing! Scan the QR code on page 33 for an up-to-date count.

Pro-Life Resolution Policy Brief

Lead Sponsor: _____

Synopsis: The Arkansas State Legislature passed Act 392 in 2021 affirming that a municipality can pass a resolution designating itself as a Pro-Life City. Act 699 of 2023 expanded the law to include municipalities, counties, and other political subdivisions. This law affirms a right that cities, counties, and other political subdivisions already have. In addition, the law contains model language for communities to use in drafting their own resolution. Lawmakers and legal experts have reviewed the language and they believe it will avoid lawsuits.

CURRENT LAW

- Amendment 68 to the Arkansas Constitution says it is the policy of the State of Arkansas "to protect the life of every unborn child from conception to birth, to the extent permitted by the Federal Constitution."
- In 1977 the U.S. Supreme Court ruled the U.S. Constitution does not prohibit a municipality from publicly expressing a preference for childbirth over abortion. *Poelker v. Doe, 432 U.S. 519 (1977)*
- Because the U.S. Supreme Court has overturned *Roe v. Wade*, pro-life resolutions are more important now than ever. Instead of the court making abortion policies, voters get to decide. Pro-life Resolutions are one way communities can establish a position on abortion.

WHAT A PRO-LIFE RESOLUTION DOES

- Act 392 of 2021 affirms that municipalities can pass a resolution designating themselves as pro-life.
- Act 699 of 2023 expanded the law to affirm that municipalities, counties, and other political subdivisions can designate themselves as pro-life.
- A Pro-Life resolution is a statement made by a local elected body that affirms the dignity of human life.
- The resolution affirms the right of municipalities, counties, and other political subdivisions to use signs, banners, or other public promotions to convey their pro-life status.

POINTS TO CONSIDER

- A pro-life resolution does not restrict abortion in any way.
  - It does not authorize municipalities or counties to restrict abortion.
  - It does not force municipalities or counties to do anything.
- In 2019 the Springdale City Council voted to designate the City of Springdale as a Pro-Life City. In 2021, the Washington County Quorum Court voted to designate Washington County as a Pro-Life County. Since then, over twenty Arkansas counties and fifteen cities have declared themselves to be a Pro-Life Community.

QUESTIONS AND ANSWERS

1. **Question: What is a political subdivision?**

   Answer: Political subdivisions are administrative units within a larger political entity, such as a country or a state/province. These subdivisions typically have their own government or governing body, which is responsible for making and enforcing laws and regulations within the boundaries of that subdivision. According to a section in the Arkansas code, a political subdivision means all duly formed and constituted governing bodies created and established under the Arkansas Constitution's authority and this state's laws. While they are generally known in units such as cities and states, they can also include:

   1. Schools
   2. School Districts
   3. Townships
   4. Villages
   5. Fire Districts
   6. Sanitation Districts
   7. Water Districts
   8. Utility Districts
   9. Irrigation Districts
   10. Drainage Districts
   11. Flood-control Districts
   12. Park Districts
   13. Airport Districts
   14. Boroughs
   15. Police
   16. Regions

2. **Question: Can you guarantee that the language for pro-life resolutions will <u>not</u> result in a lawsuit?**

   Answer: What grounds could there be for a lawsuit against a law that simply affirms rights that cities, counties, and other political subdivisions already have? There are no 100% guarantees when it comes to lawsuits. However, the recommended language in this act has been vetted and it is based on the U.S. Constitution, the Arkansas Constitution, and federal court rulings.

3. **Question: Why introduce this Resolution?**

   Answer: Many people in Arkansas are pro-life. City and County leaders are asking how they can become a pro-life city or county. Cities and counties that want to be known as pro-life should have assurance from state law that they can do this. Cities and counties should have local control to decide if they want to be a pro-life community, a pro-second amendment community, an environmentally friendly community, or anything else.

RESOLUTION TEMPLATES

(CITY, COUNTY, SCHOOL DISTRICT, FIRE DISTRICT & BLANK)

& ACT 699

Pro-Life
COMMUNITY

RESOLUTION NO. _____

A RESOLUTION AFFIRMING THE COMMITMENT OF THE CITY OF _____, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE CITY OF _____, ARKANSAS TO BE A PRO-LIFE CITY.

WHEREAS, the Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life; and

WHEREAS, Amendment 68 to the Arkansas Constitution states that the policy of the State of Arkansas is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local governments to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court stated in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not forbid a municipality, pursuant to democratic processes, from expressing a preference for normal childbirth instead of abortion;

WHEREAS, the United States Supreme Court found in Dobbs v. Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United States Constitution does not confer a right to abortion;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of _____, Arkansas:

Section 1: It is the policy of the City of _____ to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

Section 2: The City of _____ declares itself to be a Pro-Life City.

PASSED AND APPROVED this _____ day of _____.

APPROVED:

By: _____
Mayor

ATTEST:

_____

(SEAL)

RESOLUTION NO. _____

A RESOLUTION AFFIRMING THE COMMITMENT OF THE COUNTY OF _____, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE COUNTY OF _____, ARKANSAS TO BE A PRO-LIFE COUNTY.

WHEREAS, the Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life; and

WHEREAS, Amendment 68 to the Arkansas Constitution states that the policy of the State of Arkansas is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local governments to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court stated in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not forbid a municipality, pursuant to democratic processes, from expressing a preference for normal childbirth instead of abortion;

WHEREAS, the United States Supreme Court found in Dobbs v. Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United States Constitution does not confer a right to abortion;

NOW, THEREFORE, BE IT RESOLVED by the Quorum Court of the County of _____, Arkansas:

Section 1: It is the policy of the County of _____ to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

Section 2: The County of _____ declares itself to be a Pro-Life County.

PASSED AND APPROVED this _____ day of _____.

APPROVED:

By: _____
County Judge

ATTEST:

_____

(SEAL)

RESOLUTION NO. _____

A RESOLUTION AFFIRMING THE COMMITMENT OF THE FIRE DISTRICT OF _____, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE FIRE DISTRICT OF _____, ARKANSAS TO BE A PRO-LIFE FIRE DISTRICT.

WHEREAS, the Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life; and

WHEREAS, Amendment 68 to the Arkansas Constitution states that the policy of the State of Arkansas is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local governments to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court stated in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not forbid a municipality, pursuant to democratic processes, from expressing a preference for normal childbirth instead of abortion;

WHEREAS, the United States Supreme Court found in Dobbs v. Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United States Constitution does not confer a right to abortion;

NOW, THEREFORE, BE IT RESOLVED by the Fire District of _____, Arkansas:

Section 1: It is the policy of the Fire District of _____ to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

Section 2: The Fire District of _____ declares itself to be a Pro-Life Fire District.

PASSED AND APPROVED this _____ day of _____.

APPROVED:

By: _____

ATTEST:

_____

(SEAL)

RESOLUTION NO. _____

A RESOLUTION AFFIRMING THE COMMITMENT OF THE SCHOOL DISTRICT OF _____, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE SCHOOL DISTRICT OF _____, ARKANSAS TO BE A PRO-LIFE SCHOOL DISTRICT.

WHEREAS, the Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life; and

WHEREAS, Amendment 68 to the Arkansas Constitution states that the policy of the State of Arkansas is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local governments to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court stated in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not forbid a municipality, pursuant to democratic processes, from expressing a preference for normal childbirth instead of abortion;

WHEREAS, the United States Supreme Court found in Dobbs v. Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United States Constitution does not confer a right to abortion;

NOW, THEREFORE, BE IT RESOLVED by the School Board of the District of _____, Arkansas:

Section 1: It is the policy of the School District of _____ to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

Section 2: The School District of _____ declares itself to be a Pro-Life School District.

PASSED AND APPROVED this _____ day of _____.

APPROVED:

By: _____

ATTEST:

_____

(SEAL)

RESOLUTION NO. _____

A RESOLUTION AFFIRMING THE COMMITMENT OF THE _____ OF _____, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE _____ OF _____, ARKANSAS TO BE A PRO-LIFE _____.

WHEREAS, the Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life; and

WHEREAS, Amendment 68 to the Arkansas Constitution states that the policy of the State of Arkansas is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local governments to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court stated in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not forbid a municipality, pursuant to democratic processes, from expressing a preference for normal childbirth instead of abortion;

WHEREAS, the United States Supreme Court found in Dobbs v. Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United States Constitution does not confer a right to abortion;

NOW, THEREFORE, BE IT RESOLVED by the _____ of _____, Arkansas:

Section 1: It is the policy of the _____ of _____ _ to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

Section 2: The _____ of _____ declares itself to be a Pro-Life_____.

PASSED AND APPROVED this _____ day of _____.

APPROVED:

By: _____

ATTEST:

_____

(SEAL)

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 446

By: Senator J. Bryant
By: Representative Underwood

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PRO-LIFE DESIGNATION OF POLITICAL SUBDIVISIONS; TO ALLOW MUNICIPALITIES, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS TO STATE BY RESOLUTION THAT THEY HAVE A PRO-LIFE POLICY; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW MUNICIPALITIES, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS TO STATE BY RESOLUTION THAT THEY HAVE A PRO-LIFE POLICY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

14-1-108. Pro-Life City, Pro-Life County, or Pro-Life Political Subdivision designation.

(a) A municipality, county, or other political subdivision may state by resolution:

(1) That the policy of the municipality, county, or political subdivision is to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death;

(2) That the municipality, county, or political subdivision is to be known as a “Pro-Life City”, a "Pro-Life County", or a "Pro-Life Political Subdivision"; and

(3) The following findings:

(A) The Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life;

(B) Arkansas Constitution, Amendment 68, states that the policy of the state is to protect the life of every unborn child from conception until birth;

(C) It is the duty of state and local government to protect the unalienable right to life of every person within each respective jurisdiction;

(D) The United States Supreme Court found in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not prohibit a municipality using democratic processes from expressing a preference for childbirth rather than abortion; and

(E) The United States Supreme Court found in Dobbs v. Jackson Women's Health Organization, 142 S. Ct. 2228 (2022), that the United States Constitution does not confer a right to abortion.

(b) A municipality, county, or other political subdivision that passes a resolution under subsection (a) of this section may promote the Pro-Life City, Pro-Life County, or Pro-Life Political Subdivision status in a manner consistent with other law, including without limitation by:

(1) Placing signs along rights-of-way near the boundaries of the municipality, county, or political subdivision;

(2) Advertising in any promotion, advertisement, or public relations effort;

(3) Placing signs or banners on municipal, county, or political subdivision property;

(4) Placing a slogan or other notation on utility billing or other communications to municipal, county, or political subdivision residents;

(5) Producing and distributing signs, decals, or other material for businesses or residents to voluntarily use and display;

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

(7) Urging municipal, county, or political subdivision employees to develop and implement innovative and creative ways for promotion;

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

vehicles;

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

(10) Encouraging local schools and civic clubs to promote the dignity of innocent human life;

(11) Encouraging local places of worship to promote the sanctity of innocent human life;

(12) Erecting monuments or other permanent memorials to lives lost to abortion;

(13) Establishing a cemetery or other place for the dignified burial of the unborn and for memorials to those who have died in an abortion; and

(14) Using public service announcements.

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

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

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

~~(1) That the policy of the municipality is to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death;~~

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

~~(3) The following findings:~~

~~(A) The Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life;~~

~~(B) Arkansas Constitution, Amendment 68, states that the policy of the state is to protect the life of every unborn child from conception until birth;~~

~~(C) It is the duty of state and local government to protect the unalienable right to life of every person within each respective jurisdiction; and~~

~~(D) The United States Supreme Court found in Poelker v. Doe, 432 U.S. 519 (1977), that the United States Constitution does not prohibit a municipality using democratic processes from expressing a preference for childbirth rather than abortion.~~

~~(b) A municipality that passes a resolution under subsection (a) of this section may promote the Pro-Life City status in a manner consistent with other law, including without limitation by:~~

~~(1) Placing signs along rights-of-way near the boundaries of the municipality;~~

~~(2) Advertising in any promotion, advertisement, or public relations effort;~~

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

~~(4) Placing a slogan or other notation on municipal utility billing or other communications to municipal residents;~~

~~(5) Producing and distributing signs, decals, or other material for businesses or residents to voluntarily use and display;~~

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

~~(7) Urging municipal employees to develop and implement innovative and creative ways for promotion;~~

~~(8) Placing a slogan or other notation on publicly owned vehicles;~~

~~(9) Declaring pro-life observances, such as a pro-life day or pro-life month;~~

~~(10) Encouraging local schools and civic clubs to promote the dignity of human life;~~

~~(11) Encouraging local places of worship to promote the sanctity of human life;~~

~~(12) Erecting monuments or other permanent memorials to lives lost to abortion;~~

~~(13) Establishing a cemetery or other place for the dignified burial of the unborn and for memorials to those who have died in an abortion; and~~

~~(14) Using public service announcements.~~

APPROVED: 4/11/23

Family Council is a conservative non-profit organization based in Little Rock, Arkansas. Founded in 1989 by Jerry Cox, its mission is to promote, protect, and strengthen traditional family values in Arkansas. Located in downtown Little Rock near the State Capitol Jerry and his staff work with lawmakers to pass legislation that reflects a biblical world-view. In addition they conduct media interviews, speak in churches and at other public events, and they produce voter's guides to help citizens cast an informed vote. Learn more about Family Council at www.FamilyCouncil.org or stop by 414 South Pulaski, Suite 2 in Little Rock to see our work firsthand.

Family Council | 414 South Pulaski, Suite 2, Little Rock, AR 72201 | (501) 375-7000