



A Ballot Measure to Protect Reproductive Freedom

Virginia stands alone in the South as a critical safeguard for reproductive rights—one of the only states in the region without a post-Roe abortion ban. While 20 surrounding southern and midwestern states have severely restricted or banned abortion, Virginia remains a vital access point. But without federal or state constitutional protections, that access is at risk.

Now is the time to act—to secure reproductive freedom for generations to come.

A Critical Moment for Virginia

Our top priority: passing a constitutional amendment that guarantees reproductive freedom in Virginia. This amendment would protect every person's right to make personal decisions about their reproductive healthcare—including access to abortion, contraception, fertility care, and miscarriage management.

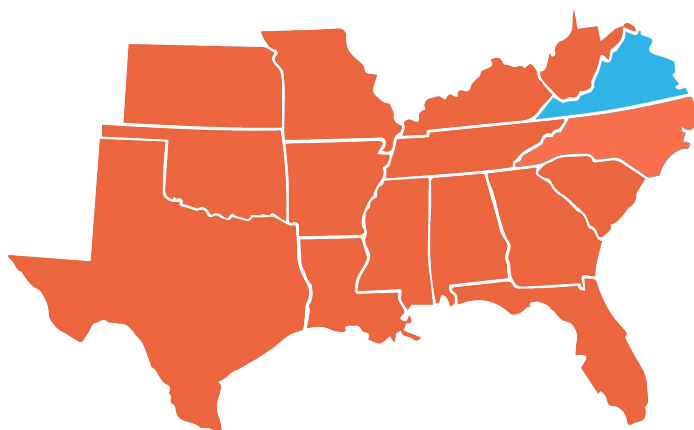
By embedding these rights in the Virginia Constitution, we can ensure long-term protections against future political or legislative rollbacks—and preserve access not only for Virginians, but also for those who travel here from across the South.

A Regional Anchor for Abortion Care

Virginia is now the last state in the South where abortion is legal through 26 weeks and 6 days of pregnancy, with no medically unnecessary waiting periods. That makes the Commonwealth a critical resource for patients from states with near-total bans (like Kentucky, Tennessee, and West Virginia), as well as those with severe restrictions (like Florida, Georgia, and South Carolina).

We are a beacon of hope for millions—but only if we act now to protect it.

**VIRGINIA IS THE ONLY SOUTHERN
STATE WITH ABORTION ACCESS
AFTER 12 WEEKS**



How is an Amendment Added to the Constitution?



✓ PRE 2025 SESSION

Legislators and key stakeholders drafted a constitutional amendment to protect reproductive freedom. All constitutional amendments in Virginia begin as a legislative resolution that is introduced.



✓ 2025 SESSION

The General Assembly introduced and passed the resolution out of both chambers with a majority vote.



✓ 2025 ELECTION

The House of Delegates must retain a supportive majority after the November elections.



✓ 2026 SESSION

The General Assembly must introduce and pass the resolution a second time out of both chambers with a majority vote. They must also introduce and pass enabling legislation to add the question to the ballot in the next election.



● 2026 ELECTION

The majority of voters must vote “yes” on the ballot question in the general election in order for the amendment to pass.



● IMPLEMENTATION



The Ballot Question Language

Question: Should the Constitution of Virginia be amended to (i) protect the freedom to make personal decisions about prenatal care, childbirth, postpartum care, birth control, abortion, miscarriage management, and fertility care; (ii) protect doctors, nurses, and patients from being punished for these decisions; and (iii) allow for restrictions on access to abortion during the third trimester of pregnancy except when the patient's health is at risk or the pregnancy cannot survive?

The Proposed Constitutional Amendment: *Explained*

That every individual has the fundamental right to reproductive freedom, including the ability to make and carry out decisions relating to one's own prenatal care, childbirth, postpartum care, contraception, abortion care, miscarriage management, & fertility care.

- ★ *This defines what reproductive decisions are protected: decisions around prenatal care, childbirth, postpartum care, contraception, abortion care, miscarriage management and fertility care.*

An individual's right to reproductive freedom shall not be, directly or indirectly, denied, burdened, or infringed upon unless justified by a compelling state interest achieved by the least restrictive means.

- ★ *The state cannot interfere with a person's right to make their own reproductive health choices, for example, by banning certain types of care (like abortion), or making it more difficult to access that care without a strong justification for why doing so would protect patients' health and safety.*

Notwithstanding the above, the Commonwealth may regulate the provision of abortion care in the third trimester, provided that in no circumstance shall the Commonwealth prohibit an abortion (i) that in the good faith judgment of a physician is medically indicated to protect the life or physical or mental health of the pregnant individual or (ii) when in the professional judgment of a physician the fetus is not viable.

- ★ *The state would be able to regulate abortion in the third trimester, including by restricting access to the procedure. But the commonwealth must always allow access to abortion, even in the third trimester, where it's to protect the life or physical or mental health of the pregnant individual or when a fetus is not viable.*

The Commonwealth shall not discriminate in the protection or enforcement of this fundamental right.

- ★ *Virginia cannot treat people differently from others on the basis of their identity when it comes to protecting or enforcing this basic right.*

The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against an individual based on such individual's own exercise of this fundamental right or such individual's own actual, potential, perceived, or alleged pregnancy outcomes, including miscarriage, stillbirth, or abortion. The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against any individual for aiding or assisting another individual in exercising such other individual's right to reproductive freedom with such other individual's voluntary consent.

- ★ *Patients and doctors cannot be charged or jailed for accessing or providing reproductive healthcare. Virginia cannot punish or take action against someone for making their own reproductive healthcare decisions. Virginia also cannot punish someone who helps another person make these choices, as long as the person being helped agrees to it.*

For the purposes of this section, a state interest is compelling only if it is for the limited purpose of maintaining or improving the health of an individual seeking care, consistent with accepted clinical standards of care and evidence-based medicine, and does not infringe on that individual's autonomous decision-making.

- ★ *Virginia can only get involved in someone's reproductive healthcare choices if it's necessary to protect or improve the person's health. Any regulations the commonwealth imposes on reproductive healthcare, like abortion, must follow trusted medical guidelines and research. The state cannot take away a person's right to make their own decisions about their body. This language prevents laws that create unnecessary obstacles to abortion care - like "Targeted Restrictions on Abortion Providers" or "TRAP" laws and laws like a 72-hour waiting period or biased counseling before an abortion.*

This section shall be self-executing. Any provision of this section held invalid shall be severable from the remaining portions of the section.

- ★ *This section of the Constitution will automatically go into effect without needing extra steps or laws to make it work. If any part of this section is found to be invalid or doesn't hold up in court, that part can be removed without affecting the rest of the section.*