

## Requirements for Amending the Constitution

Any proposed amendment that is put on the ballot is not a simple yes-or-no referendum for which a simple majority vote decides the issue.

In order for the amendment to be added to the constitution, the amendment must get a number of "yes" votes equal to 50% of the votes cast in the Governor's race *plus one*. A majority vote is not enough. Say, for example, 2,000,000 people vote in the

Governor's race. If 1,000,000 people vote in favor of the amendment, and only 600,000 vote against it, the amendment fails! In this example, the amendment must receive at least 1,000,001 "yes" votes to pass.

Because of this requirement, every person who votes in the Governor's election but who does not also vote for the amendment will have effectively "voted" *against* the amendment.

## Women and Abortion

Abortion affects women as well as babies. A **waiting period** would allow women more time to make a decision that will impact them for the rest of their lives. One study found that among women who have had abortions:

**52%** felt they **needed more time** to decide about having an abortion

**54%** were **not sure** about whether to have an abortion

There can be tremendous pressure on women to have an abortion – from family members, friends, boyfriends or husbands. This same study found that:

**64%** of women felt **pressured by others** to have an abortion



## The Family Action Council of Tennessee

The Family Action Council of Tennessee (FACT) is a pro-family organization whose mission is to equip Tennesseans and their elected officials to effectively promote and defend a culture that values the traditional family, for the sake of the common good.

Our values includes **MARRIAGE, FAMILIES, LIFE, AND RELIGIOUS LIBERTY**. We believe churches, families, and individuals are responsible to foster these values, and that government should not work against them.

Contact us at [info@FACTn.org](mailto:info@FACTn.org) or (615) 591-2090.



Visit us online at [www.FACTn.org](http://www.FACTn.org)

# The facts about ABORTION in Tennessee

## A Brief History of Abortion in Tennessee

### The Will of the People Overturned

During the last few decades of the 20th century, the Tennessee Legislature passed a series of sensible laws regulating abortion, including waiting period and informed consent laws, creating an environment where innocent human life was protected as much as legally possible.

That environment changed dramatically in the year 2000 when the Tennessee state Supreme Court found a broader right to abortion in the U.S. Constitution and then struck down most of the abortion regulations passed by the Legislature.

The decision sent shock waves through the state's pro-life community. In effect, the Court's ruling said that there can be no restriction on abortion in Tennessee,

no matter what the people want.

Justice Mickey Barker, who disagreed with the Court's decision, said, "Plainly stated, the effect of the Court's holding today is to remove from the people all power, except by constitutional amendment, to enact reasonable regulations of abortion."

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-Justice Mickey Barker

In response to the Court's overreaching action, state legislators finally adopted Senate Joint Resolution 127 (on the ballot as Amendment 1). This resolution will allow Tennesseans to vote in 2014 to amend the state constitution to again make it "neutral" on abortion while still subject to the abortion rights rulings of the U.S. Supreme Court. The amendment would once again allow common sense abortion regulations.



## Tennessee: An Abortion Destination

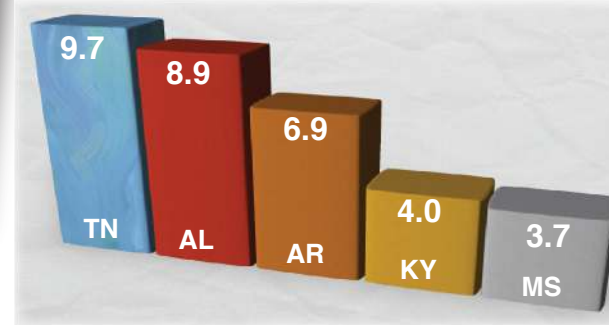
Tennessee is the only state in the Southeastern United States that does not have at least an abortion-related informed consent law or a law requiring a waiting period (period of reflection) between being informed and having an abortion. As a result, women from surrounding states come here to have abortions.

Among the states, Tennessee's percentage of abortions provided to out-of-state residents is the 3rd highest in the country.\* In other words, Tennessee is a leading "importer" of abortions — an **abortion destination** for those who want a quick abortion.



## Abortions: How Tennessee Compares

### How Does Tennessee's Abortion Rate Compare?



The graph at left shows the percentage of women in each state, per 1,000 women age 15 to 44, who had abortions in their home state.\*

If Tennessee was allowed to regulate abortions as these states do, the number of abortions performed in Tennessee would fall significantly.

## Myths About The Amendment

- **"The Amendment will ban abortions in Tennessee."**

**FALSE!** Absolutely nothing in the amendment would ban any abortion. Furthermore, nothing in the amendment would empower the Legislature to make laws that violate the U.S. Supreme Court's abortion rulings. It should be noted that in the entire history of the State of Tennessee abortion has never been banned.

- **"The Amendment needs to contain exceptions for incest and rape, or to save the life of the mother."**

**FALSE!** No provision is needed since the amendment does not ban any abortions. But additionally, the amendment itself makes it clear that the Legislature can provide for abortion in these circumstances. Lastly, the U.S. Supreme Court rulings would prohibit states from banning abortions in these situations.

- **"This Amendment will put us out of step with other states."**

**FALSE!** Two-thirds of our sister states (34) have no state constitutional right to abortion.



**22** days after conception a baby's heart is beating.

At **6** weeks the baby's brainwaves can be measured.

At **8** weeks the baby's fingerprints are forming.

At **20** weeks the baby can feel pain.

## AMENDMENT

# 1

"NOTHING IN THIS CONSTITUTION SECURES OR PROTECTS A RIGHT TO ABORTION OR REQUIRES THE FUNDING OF AN ABORTION. THE PEOPLE RETAIN THE RIGHT THROUGH THEIR ELECTED STATE REPRESENTATIVES AND STATE SENATORS TO ENACT, AMEND, OR REPEAL STATUTES REGARDING ABORTION, INCLUDING, BUT NOT LIMITED TO, CIRCUMSTANCES OF PREGNANCY RESULTING FROM RAPE OR INCEST OR WHEN NECESSARY TO SAVE THE LIFE OF THE MOTHER."

The amendment is needed because Tennessee's state Supreme Court "found" a "right to abortion" in our state constitution. Our abortion-specific informed consent law and waiting period law were ruled unconstitutional.

## How Many Babies Could Be Saved?

If Tennessee's abortion rate per 1,000 women had been as low as the abortion rate in Alabama, Arkansas, Kentucky or Mississippi, then fewer abortions would have been performed here, saving babies' lives. This graph shows the number of babies which would **not have been aborted in Tennessee\*** were our abortion rate the same as:

Alabama's rate: **978 babies saved**

Arkansas' rate: **3,558 babies saved**

Kentucky's rate: **7,211 babies saved**

Mississippi's rate: **7,620 babies saved**

The greatest obvious difference between Tennessee and these states is their pro-life laws. Laws that are no longer constitutional here.

## Abortion regulations save lives.

\* Based on C.D.C. 11/29/13 report & corresponding U.S. Census data.

To learn more about Amendment 1, the Yes on 1 campaign and campaign activities, and what you can do to help, go to [www.yeson1tn.org](http://www.yeson1tn.org).

**Vote "Yes" on Amendment 1**