

WEST VIRGINIA LEGISLATURE
2024 REGULAR SESSION
ENROLLED
Committee Substitute
for
House Joint Resolution 28

BY DELEGATES HANSHAW (MR. SPEAKER), MCGEEHAN,
PHILLIPS, KIMBLE, BARNHART, CHIARELLI, STREET,
ROHRBACH, C. PRITT, ELLINGTON, AND JEFFRIES
[Adopted by the Legislature on March 9, 2024.]

Proposing an amendment to the Constitution of the State of West Virginia amending Article III thereof by adding thereto a new section, designated section twenty-three, relating to the protection from medically-assisted suicide or euthanasia in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2024, which proposed amendment is that Article III thereof, be amended by adding thereto a new section, designated section twenty-three, to read as follows:

ARTICLE III. BILL OF RIGHTS.

§3-23. Protection against medically assisted suicide.

No person, physician, or health care provider in the State of West Virginia shall participate in the practice of medically assisted suicide, euthanasia, or mercy killing of a person. Nothing in this section prohibits the administration or prescription of medication for the purpose of alleviating pain or discomfort while the patient's condition follows its natural course; nor does anything in this section prohibit the withholding or withdrawing of life-sustaining treatment, as requested by the patient or the patient's decision-maker, in accordance with State law. Further, nothing in this section prevents the State from providing capital punishment.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Protection of persons against medically assisted suicide" and the purpose of the proposed amendment is summarized as follows: "The purpose of this amendment is to protect West Virginians against medically assisted suicide."

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing joint resolution is correctly enrolled.