

Legislative Testimony

In **Opposition** to HB2653
House Committee on Federal and State Affairs
February 15, 2024

| WRITTEN ONLY |

Dear Chairman Carpenter and Members of the Committee,

My name is Rashane Hamby, and I serve as the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas, a nonpartisan, non-profit organization with over 35,000 supporters statewide, is dedicated to preserving and strengthening the civil rights and liberties of every Kansas resident. We have profound concerns about HB 2653, a bill that seeks to amend K.S.A. 20-165, 23-2205, and 23-3001, fundamentally altering the legal landscape regarding child support, parental relationships, and the definition of a child to include fetuses under the guise of child support reform. HB 2653 poses a direct threat to women's reproductive rights and perilously divides the rights of women and fetuses. This legislation is not just a matter of public policy; it's a matter of civil liberties, deeply entangled with the autonomy and dignity of women and pregnant people across Kansas.

Back Door Attack on Women's Reproductive Rights

Firstly, HB 2653 represents a backdoor assault on women's reproductive rights. By extending child support obligations to fetuses from the moment of conception, this bill stealthily aims to establish legal personhood for fetuses. Such a move is a foundational step towards restricting access to forms of reproductive healthcare, including abortion, that are protected by the Kansas constitution. It sets a dangerous precedent, subtly weaving the notion of fetal personhood into the fabric of law, thereby imposing moral and legal constraints on a woman's constitutional right to make personal healthcare decisions.

Dangerously Separates the Rights of the Fetus and the Woman

Moreover, HB 2653 dangerously separates the rights of the fetus from those of the pregnant woman, creating a dichotomy where the health, well-being, and autonomy of the woman are overshadowed by the rights attributed to the fetus. This separation is not only philosophically troubling but also practically hazardous. Such legislation disregards the complex, nuanced realities of pregnancy and childbirth, reducing women to mere vessels for procreation, stripping them of their agency and rights.

Implications for Women's Health and Autonomy

The bill's narrow definition of "elective abortion" further exemplifies its attempt to curtail women's autonomy. By disallowing considerations of mental health or life circumstances in decisions about abortion, HB 2653 undermines the principle that pregnant people should make informed choices about their bodies and futures. It dangerously oversimplifies the myriad reasons behind the deeply personal decision to terminate a pregnancy, dismissing the socio-economic, health-related, and personal factors that are weighed in making such decisions.

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In conclusion, HB 2653 is not merely a proposal about child support; it is a calculated move to undermine women's rights . As such, it raises grave concerns about its consistency with the Kansas state constitution. This bill, if passed, would set a dangerous precedent, not just in Kansas but potentially across the nation, inviting further encroachments on women's reproductive freedoms. It is imperative that we recognize and resist such attempts to infringe upon women's autonomy and rights. I urge you to oppose HB 2653, standing firm in the defense of civil liberties and the rights of women and pregnant people to make autonomous decisions about their bodies and lives.

Thank you.

Rashane Hamby
Director of Policy and Research