

R002-0607

10 **A RESOLUTION CONCERNING AN AMENDMENT TO THE UNITED STATES**
20 **CONSTITUTION THAT WOULD GUARANTEE THE RIGHT TO PRIVACY**

30 **WHEREAS:** In 1965, in the case of *Griswold v. Connecticut*, the United States
40 Supreme Court found that there is a constitutional right to privacy and
50 that although that right is not explicitly stated in the constitution, the
60 right is found in the emanations from penumbras of other constitutional
70 protections; and,

80 **WHEREAS:** The Supreme Court also found that the constitutional right to privacy
90 invalidated many abortion laws in the 1973 case of *Roe v. Wade*; and,

100 **WHEREAS:** These decisions and the idea that a right to privacy exists in the
110 constitution have proved to be extremely controversial and vigorously
120 debated, several decades later; and,

130 **WHEREAS:** Numerous judicial appointments have been delayed or otherwise
140 impacted based on the sole issue of whether or not the nominee
150 believes in a constitutional right to privacy; and,

160 **WHEREAS:** As long as the constitutional right to privacy remains a controversial
170 constitutional question, many rights stemming from the right to privacy
180 remain one Supreme Court decision away from being overturned.

190 **WHEREAS:** The state of Montana guarantees a right to privacy explicitly in their
200 state constitution which states: "The right of individual privacy is
210 essential to the well-being of a free society and shall not be infringed
220 without the showing of a compelling state interest."; and,

230 **WHEREAS:** Computer technology and genetic technology are likely to make the
240 issue of privacy an even greater concern for Americans in the
250 upcoming decades.

260 **THEREFORE BE IT RESOLVED:** That the Maryland Student Legislature urges the
270 United States Congress to pass an amendment to the United States
280 Constitution explicitly guaranteeing the right to privacy, similar in form
290 to the aforementioned Montana state constitution section regarding
300 privacy; and,

310 **BE IT FURTHER RESOLVED:** That the Maryland Student Legislature urges the 50
320 state legislatures to ratify such an amendment.

330 **MANDATES:** J. Dennis Hastert, Speaker of the U.S. House of Representatives
340 John Boehner, Majority Leader of the U.S. House of Representatives
350 Nancy Pelosi, Minority Leader of the U.S. House of Representatives
360 Bill Frist, United States Senate Majority Leader
370 Harry Reid, United States Senate Minority Leader

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