



National Association of Christian Lawmakers
NACL Model 2024-10 TO CREATE A MONUMENT TO THE UNBORN

Passed by the NALC-National Legislative Council
Executive Committee by unanimous vote June 8, 2024

(a) The General Assembly finds that:

(1) In *Dobbs v. Jackson Women’s Health Organization*, United States Supreme Court explained abortion, after quickening was a crime according to the common law of England;

(2) In his “Lectures on Law in 1790”, James Wilson, who signed the Declaration of Independence and was a delegate to the Constitutional Convention of 1787, explained, “With consistency beautiful and undeviating, human life, from its commencement to its close, is protected by the common law. In the contemplation of law, life begins when the infant is first able to stir in the womb. By the law, life is protected not only from actual destruction, but from every degree of violence, and, in some cases, from every degree of danger.” *Collected Works of James Wilson*, Vol. II, p. 1068 (Liberty Fund: 2007);

(3) (A) The protection of life in the womb before as well as after quickening is based on the recognition by modern medicine that life begins, not when the mother first feels the child move in the womb, but at conception.

(B) As Alan Guttmacher explained, “Through some unknown mechanism, as soon as one sperm penetrates the egg, the capsule becomes altered and successfully bars entry to all later applicants. The nucleus of the sperm-head . . . becomes indissolubly united with the nucleus of the ovum . . . and a new

life is begun.” Alan Guttmacher, *Life in the Making*, p. 55 (Viking Press: 1933);

(b) As a memorial to the lives lost from 1973 to 2022 due to the decisions of the United States Supreme Court, and as a constant reminder of our duty to protect the life of every innocent human person, no matter how young or old, or how helpless and vulnerable that person may be, it is the intent of the General Assembly of the State of STATE to enact the Monument to Unborn Children Display Act, and the Monument to Unborn Children Display Fund.

Monument to Unborn Children Display Fund.

(a) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund to be known as the “Monument to Unborn Children Display Fund”.

(b) The fund shall consist of gifts, grants, and donations from individuals and organizations as provided under the Monument to Unborn Children Display Act, § 22-3-223, and other funds as may be provided by law.

(c) The fund shall be used exclusively for the purpose of erecting and maintaining a suitable monument on the State Capitol grounds commemorating unborn children aborted during the era of *Roe v. Wade*, 410 U.S. 113 (1973), as provided in the Monument to the Unborn Children Display Act, § 22-3-223.

Monument to Unborn Children Display Act.

(a) This section shall be known and may be cited as the “Monument to Unborn Children Display Act”.

(b)(1) The Secretary of State shall permit and arrange placement on the State Capitol grounds of a suitable monument commemorating unborn children aborted during the era of *Roe v. Wade*, 410 U.S. 113 (1973).

(2)(A) The Capitol Arts and Grounds Commission, shall oversee the selection of the artist and design of the monument with input from pro-life groups in STATE.

(B) The Secretary of State shall have final approval of the selection of the artist and design of the monument selected by the commission before any construction is commenced.

(C) Upon approval of the artist and design, the Secretary of State shall arrange for the construction, placement, and dedication of the monument on the State Capitol grounds by private entities at no expense to the State of STATE.

(D) The monument shall be placed on the State Capitol grounds at a location selected and approved by the Secretary of State.

(3) The monument under this subsection shall be exempt from §9 22-3-301 et seq. and § 22-3-501 et seq.

(c) If the legality or constitutionality of the monument under subsection (b) of this section is challenged in a court of law, the Attorney General may:

(1) Prepare and present a legal defense of the monument; or

(2)(A) Request that a private law firm serve as counsel to prepare and present a legal defense of the monument.

22 (d) The Secretary of State may accept gifts, grants, and donations from individuals and
23 organizations, to be deposited as trust funds into the Monument to Unborn Children
Display Fund.

(e) The Secretary of State shall:

(1) Have the authority to enter into all necessary contracts for the design, construction and dedication of the monument;

(2)(A) Oversee the continued maintenance, repair, and replacement, if necessary due to catastrophic damage, of the monument utilizing funds held in the Monument to Unborn Children Display fund; or

(B) If no funds are available, any other fund under the control and authority of the Secretary of State that exists for the maintenance and repair of monuments on display in the State Capitol or on the grounds of the State Capitol; and

(3) Provide that any maintenance, repairs or replacement of the monument shall restore it to a state equal to the original quality and condition.