

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 367

BY HAWKINS

AN ACT

1 RELATING TO THE HUMAN PERSONHOOD ACT; AMENDING TITLE 73, IDAHO CODE, BY THE  
2 ADDITION OF A NEW CHAPTER 6, TITLE 73, IDAHO CODE, TO PROVIDE A SHORT TI-  
3 TLE, TO DEFINE TERMS, AND TO ESTABLISH PROVISIONS REGARDING HUMAN PER-  
4 SONHOOD; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PRO-  
5 VIDING AN EFFECTIVE DATE.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Title 73, Idaho Code, be, and the same is hereby amended  
9 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-  
10 ter 6, Title 73, Idaho Code, and to read as follows:

11 CHAPTER 6  
12 HUMAN PERSONHOOD ACT

13 73-601. SHORT TITLE. This chapter shall be known and may be cited as  
14 the "Human Personhood Act."

15 73-602. DEFINITIONS. As used in this chapter:

16 (1) "Conception" means the joining of a human sperm cell and human egg,  
17 whether through natural or artificial means, in the act of fertilization  
18 that results in the forming of a living human zygote.

19 (2) "Human being" means a member of the Homo sapien species, from the  
20 moment of conception until death.

21 (3) "Personhood" means the state or fact of being a human being, made  
22 in the image of God, and thus endowed by the Creator with the unalienable  
23 rights, among which is the inherent right to life.

24 73-603. HUMAN PERSONHOOD. (1) The state of Idaho recognizes that exis-  
25 tence of a human being begins at the moment of conception and that at the mo-  
26 ment of conception every living preborn child possesses full personhood and  
27 the rights and facts that accompany personhood.

28 (2) It shall be the policy of this state and its political subdivisions  
29 to cherish and protect the right to life of every human being.

30 (3) The laws of this state shall be interpreted and construed to ac-  
31 knowledge, on behalf of the preborn child at every stage of development, all  
32 the rights, privileges, and immunities available to other persons, citi-  
33 zens, and residents of this state.

34 (4) Neither this state, nor any jurisdiction thereof, shall make any  
35 law, rule, or policy that denies or undermines the personhood or inherent  
36 right to life of any preborn child.

37 (5) Nothing in this section shall be interpreted as creating a cause of  
38 action against a woman for indirectly harming her preborn child by failing to

1 properly care for herself or by failing to follow any particular program of  
2 prenatal care.

3 SECTION 2. SEVERABILITY. The provisions of this act are hereby declared  
4 to be severable and if any provision of this act or the application of such  
5 provision to any person or circumstance is declared invalid for any reason,  
6 such declaration shall not affect the validity of the remaining portions of  
7 this act.

8 SECTION 3. An emergency existing therefor, which emergency is hereby  
9 declared to exist, this act shall be in full force and effect on and after  
10 July 1, 2025.