

1999 ASSEMBLY JOINT RESOLUTION 42

April 9, 1999 – Introduced by Representatives SCHNEIDER, CARPENTER, REYNOLDS, BOCK, PLALE, POWERS and YOUNG, cosponsored by Senators ERPENBACH, DECKER and DARLING. Referred to Committee on Judiciary and Personal Privacy.

1 **To create** section 26 of article I of the constitution; **relating to:** creating an
2 independent right of privacy of individuals (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1999 legislature on first consideration, establishes an independent right of privacy of individuals, which may not be infringed by law or by any person.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

3 **SECTION 1.** Section 26 of article I of the constitution is created to read:

4 [Article I] Section 26. Every individual shall have a right of privacy, which may
5 not be infringed by law or by any person.
6

7 **SECTION 2. Numbering of new provision.** The new section 26 of article I of
8 the constitution created in this joint resolution shall be designated by the next higher
9 open whole section number in that article if, before the ratification by the people of
10 the amendment proposed in this joint resolution, any other ratified amendment has

1 created a section 26 of article I of the constitution of this state. If one or more joint
2 resolutions create a section 26 of article I simultaneously with the ratification by the
3 people of the amendment proposed in this joint resolution, the sections created shall
4 be numbered and placed in a sequence so that the sections created by the joint
5 resolution having the lowest enrolled joint resolution number have the numbers
6 designated in that joint resolution and the sections created by the other joint
7 resolutions have numbers that are in the same ascending order as are the numbers
8 of the enrolled joint resolutions creating the sections.

9 ***Be it further resolved, That*** this proposed amendment be referred to the
10 legislature to be chosen at the next general election and that it be published for 3
11 months previous to the time of holding such election.

12 (END)