

Ky. lawmaker proposes constitutional amendment establishing right to abortion, reproductive freedom

Tessa Redmond
Kentucky Today

FRANKFORT, Ky. (KT) — A constitutional amendment bill that would establish the fundamental right to reproductive freedom—including abortion—is awaiting a committee hearing.

House Bill 476, filed by Representative Daniel Grossberg, D-Louisville, proposes a constitutional amendment that establishes the right of Kentuckians to make decisions about “all matters relating to pregnancy,” such as prenatal care, childbirth, postpartum care, contraception, sterilization, abortion, miscarriage management and infertility treatments.

The constitutional amendment would bar the state from penalizing or prosecuting a woman based on her “actual, potential, perceived, or alleged pregnancy outcomes,” which includes miscarriage, stillbirth or

abortion, or from taking similar adverse actions against someone aiding a woman in exercising the right to reproductive freedom.

HB 476 also allows Kentucky to regulate abortion after fetal viability, “provided that in no circumstance shall the Commonwealth prohibit an abortion that, in the professional judgment of an attending health care professional, is medically indicated to protect the life or physical or mental health of the pregnant person.”

Fetal viability, the point in a pregnancy when a fetus has the ability to survive outside of the uterus with medical help, is estimated between 24 and 26 weeks gestation. While more rare, babies do survive preterm delivery earlier in pregnancy, with the earliest documented survivor born at 21 weeks, 0 days gestation.

“My intention is to

restore what the status quo was prior to the [Dobbs] decision. Women have a fundamental right to reproductive freedom, to seek care from qualified professionals in a safe environment,” Grossberg said. “But I also don’t believe any right is without limits. For my entire life until 2022, the generally accepted standard was fetal viability.”

Richard Nelson, executive director of the Commonwealth Policy Center said that’s a “hollow gesture,” allowing for abortion at any stage “based on the subjective claim of preserving ‘mental health,’” which can be a medically indicated exception for abortion under the constitutional amendment.

“HB 476 proposes to rewrite Kentucky’s Constitution by creating an unlimited right to abortion under the guise of ‘reproductive freedom’ but authentic freedom

doesn’t marginalize members of the human community and pave the way for their demise,” said Nelson in an email. “Section 1 of Kentucky’s Constitution preserves the fundamental right of life. If this proposal makes its way into our constitution it would negate the first and most basic of our rights.”

Addia Wuchner, executive director of Kentucky Right to Life, said HB 476 would “strip away” protections for unborn children and limited the ability of elected representatives to enact “life affirming safeguards” for Kentuckians.

“HB 476 introduces constitutional ambiguity that invites litigation and judicial activism, placing ideology over human dignity,” said Wuchner. “Our Constitution should affirm the value of every human life, not be used to legalize abortion under the guise of reproductive health while erasing pro-

tections for the unborn.”

Grossberg said he was inspired to file HB 476 by the three Jewish women who most recently challenged Kentucky’s abortion bans, alleging the state’s pro-life laws regulating elective pregnancy termination could affect in vitro fertilization (IVF).

Jessica Kalb, Lisa Sobel and Sarah Baron expressed religiously-motivated desires to expand their families using IVF and initially sued the state in 2022, alleging that statutes regulating abortion were unconstitutional, vague and unintelligible—impacting fertility treatment and favoring Christian values. After a 2024 setback, a Kentucky Court of Appeals panel ruled Kalb had standing to sue in July 2025.

A Jefferson Circuit Court judge heard arguments in the case on December 1, 2025. He has yet to issue a ruling.

“I’m afraid that while our state’s abortion ban may not deliberately ban IVF, it could certainly be used to do so. Then Attorney General Daniel Cameron issued an opinion that the ban should not be used to prosecute the use of IVF, but those decisions would be left to the individual prosecutors now and in the future,” Grossberg said. “I wanted to ensure that couldn’t happen, because I have colleague who have said that yes, in fact, they would want to prosecute IVF. But my bill doesn’t stop with IVF. I wanted to enshrine protecting all reproductive rights, including contraception, which I fear will soon be under attack.”

House Bill 476 has been assigned to the Elections, Constitutional Amendments & Intergovernmental Affairs committee.

Harassment settlement of \$95K reached for Louisville company

Tom Latek
Kentucky Today

LOUISVILLE, Ky. (KT) — JACO Coach Company, LLC, a Louisville transportation company, has entered into an agreement with the U.S. Equal Employment Opportunity Commission (EEOC) to resolve a sexual harassment charge, the federal agency announced Tuesday.

In the charge, a former employee alleged that during her employment she was subjected to sexual harassment and unwanted touching around January 2024 by a male coworker. The EEOC determined there was reasonable cause to believe the company violated federal anti-discrimination law when it failed to remedy workplace sexual harassment for the individual who filed the charge, and for a class of female coworkers also affected by the harassment.

The EEOC’s charge investigation found that the same

coworker had been the subject of complaints going back to 2023 and the company, having received these repeated complaints, failed to take appropriate action.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex, including sexual harassment.

“We commend JACO Coach Company for choosing to resolve this charge and for putting in place measures that will benefit all employees,” said Richard Burgamy, acting district director of the EEOC’s Indianapolis District Office. “This resolution highlights the importance of sexual harassment training, policies, and clear ways to report unwelcome behavior.”

The EEOC’s Indianapolis District includes Kentucky, Ohio, Indiana, and Michigan.

JACO Coach Company disputes the allegations but entered into a conciliation agreement with the EEOC.

The company agreed to pay \$95,000 to the affected parties, provide training to employees and establish sexual harassment policies and reporting procedures. Additionally, the company will post a notice to all employees about the resolution of this charge and their rights under federal anti-discrimination law. The EEOC will monitor compliance for the agreement’s three-year term.

The EEOC is the sole federal agency authorized to investigate and litigate against businesses and other private sector employers for violations of federal laws prohibiting employment discrimination. For public sector employers, the EEOC shares jurisdiction with the Department of Justice’s Civil Rights Division. The EEOC also is responsible for coordinating the federal government’s employment antidiscrimination effort.

More information about the EEOC is available at www.eeoc.gov.

AG’s office defending state tax cut appeal

Tom Latek
Kentucky Today

FRANKFORT, Ky. (KT) — Kentucky Attorney General Russell Coleman announced Wednesday that his office of the Solicitor General is defending the General Assembly’s constitutional authority to cut Kentuckians’ taxes.

In a brief filed with the Kentucky Court of Appeals, Coleman’s office is supporting the legislature’s law which exempts purchases of gold and bullion from the state’s sales tax.

In 2024, the Kentucky General Assembly passed House Bill 8 to exempt the purchase of gold and bullion from state sales tax. The Governor attempted to line-item veto this specific tax cut. Attorney General Coleman published a formal Opinion of the Attorney General agreeing with

the House majority that the Governor’s purported use of the line-item veto was invalid.

Kentucky’s Constitution allows the Governor to line-item veto appropriation bills. However, HB8 was not appropriations bill. As a result, Coleman concluded HB 8 must be considered part of the official laws of Kentucky. House Speaker David Osborne, R-Prospect, and Senate President Robert Stivers, R-Manchester, jointly requested the Opinion.

The next year, the General Assembly passed another law, House Bill 2 of 2025, allowing Kentuckians who were forced to pay unlawful taxes the ability to sue to get their money back.

A group of Boone County residents sued the Governor and his Administration after they were unlawfully taxed on purchases. The Boone County Circuit Court ruled

against the plaintiffs, prompting the appeal.

“The General Assembly cut Kentuckians’ taxes in an effort to help families save and grow their money. The Governor of our Commonwealth and its courts – as coordinate branches of government – should respect legislators’ ability to do just that,” Coleman said.

The Office of the Attorney General is tasked with providing legal opinions to public officials to assist them in the performance of their duties. Opinions of the Office are persuasive in Kentucky courts and public officials are expected to follow them.

The Commonwealth’s brief was submitted by the Attorney General’s Solicitor General Matt Kuhn, Principal Deputy Solicitor General Jack Heyburn and Deputy Solicitor General Jacob Abrahamson.

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