

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

SB 300 — Pregnancy and Parenting Support

by Senators Grall, Gruters, and Yarborough

The bill (Chapter 2023-21, L.O.F.) amends and creates multiple provisions of law related to pregnancy support and wellness services, the state’s Family Planning Program, and the termination of pregnancies.

The bill prohibits abortion after six weeks of gestation unless an exception is met. Exceptions to abortion time frames that were in effect prior to the bill’s enactment are maintained and a new exception is established for cases in which the pregnancy is the result of rape, incest, or human trafficking. This new exception is available until the gestational age of the fetus is more than 15 weeks as determined by the physician.

The bill specifies that abortions, including medical abortions, may not be provided through telehealth and that medication intended for use in a medical abortion may only be dispensed by a physician and may not be dispensed via the U.S. Postal Service or by any other courier or shipping service. The bill also prohibits any person, educational institution, or governmental entity from expending state funds for a person to travel to another state to receive services that are intended to support an abortion, unless such expenditure is required by federal law or there is a legitimate medical emergency.

Effective upon the bill becoming law, SB 300 also amends the pregnancy support and wellness services network established in s. 381.96, F.S., to expand eligibility for such services to women who are up to 12 months postpartum and to parents or guardians of children under the age of three for up to 12 months. The bill adds new services and assistance which the network is required to provide, including counseling, mentoring, educational materials, and classes, as well as material assistance including clothing, car seats, cribs, baby formula, and diapers. The bill also requires the Department of Health (DOH) to report to the Governor and the Legislature annually on the types, amount, and costs of services provided by the network, as well as demographic information about persons who receive such services.

The bill appropriates, for the 2023-2024 fiscal year, \$25 million in recurring general revenue for the expanded network and specifies that contracted organizations in the network must spend at least 85 percent of the funds received on providing services and maintaining a hotline.

The bill also appropriates, for the 2023-2024 fiscal year, \$5 million in recurring general revenue, in addition to any funds appropriated in the General Appropriations Act, for family planning services provided by the DOH pursuant to s. 381.0051, F.S.

The bill makes other technical and clean-up changes, including repealing s. 390.01112, F.S., which is unused; clarifying that the current-law exception for fatal fetal anomalies is available until the third trimester of pregnancy, rather than until fetal viability; and repealing rulemaking language that is no longer applicable.

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The provisions of the bill, other than the expansion of the pregnancy support network and the appropriations, which are effective upon the act becoming law, are effective 30 days after one of several events occurs. These events include:

- A Florida Supreme Court ruling overturning *In re T.W.*, or one of several other related cases;
- A Florida Supreme Court ruling stating that the privacy clause in the Florida Constitution does not protect the right to abortion; or
- An amendment to the Florida Constitution which provides the same.

These provisions were approved by the Governor on April 13, 2023. Some provisions of the bill became effective when the bill became law, and other provisions are not effective until one of several specified triggers occurs. See the paragraph above for a discussion of the bill's effective dates.

Vote: Senate 26-13; House 70-40