

HJR1

2004
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CHAMBER ACTION

1 The Committee on Judiciary recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 House Joint Resolution

6 A joint resolution proposing the creation of Section 22 of
7 Article X of the State Constitution to provide for
8 parental notification of an abortion on a minor.

9
10 Be It Resolved by the Legislature of the State of Florida:

11
12 That the creation of Section 22 of Article X of the State
13 Constitution set forth below is agreed to and shall be submitted
14 to the electors of Florida for approval or rejection at the
15 general election to be held in November 2004:

16 ARTICLE X

17 MISCELLANEOUS

18 SECTION 22. Parental notification of an abortion on a
19 minor.--The legislature shall not limit or deny the privacy
20 rights guaranteed to minors under the United States Constitution
21 as interpreted by the United States Supreme Court.
22 Notwithstanding the minor's right of privacy provided in Section
23 23 of Article I, the legislature may by general law require

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24 | notification of a parent or guardian of a minor prior to the
25 | performance of an abortion on the minor. This right to
26 | notification shall not apply to minors emancipated by general
27 | law.

28 | BE IT FURTHER RESOLVED that the title and substance of the
29 | amendment proposed herein shall appear on the ballot as follows:

30 | PARENTAL NOTIFICATION OF ABORTION ON A MINOR

31 | Proposes the creation of Section 22 of Article X of the
32 | State Constitution to provide that the Legislature may,
33 | notwithstanding the state constitutional right of privacy, enact
34 | legislation requiring notification of a parent or guardian of a
35 | minor prior to the performance of an abortion on the minor. The
36 | amendment provides that the Legislature shall not limit or deny
37 | the privacy rights guaranteed to minors under the United States
38 | Constitution as interpreted by the United States Supreme Court.
39 | The amendment provides that the right to notification shall not
40 | apply to minors emancipated by general law. Under the amendment,
41 | the Legislature is not prevented from creating a judicial bypass
42 | process containing exceptions to parental notification,
43 | including, but not limited to, cases involving pregnancies
44 | caused by the father, stepfather, or legal guardian of the
45 | minor.