

House Joint Resolution

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

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

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

ARTICLE X

MISCELLANEOUS

SECTION 22. Parental notification of an abortion on a minor.--The legislature shall not limit or deny the privacy rights guaranteed to minors under the United States Constitution as interpreted by the United States Supreme Court.

Notwithstanding the minor's right of privacy provided in Section 23 of Article I, the legislature may by general law require notification of a parent or guardian of a minor prior to the performance of an abortion on the minor. This right to notification shall not apply to minors emancipated by general law.

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

PARENTAL NOTIFICATION OF ABORTION ON A MINOR

Proposes the creation of Section 22 of Article X of the State Constitution to provide that the Legislature may,

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