

By the Committee on Health, Aging, and Long-Term Care; and
Senator Diaz de la Portilla

317-2109-04

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Senate Joint Resolution No. ____

A joint resolution proposing the creation of
Section 22 of Article X of the State
Constitution, relating to miscellaneous
matters, to require the Legislature to enact
legislation providing for the notification of a
pregnant minor's parent or guardian prior to
termination of the pregnancy and setting
requirements and conditions therefor.

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

That the following creation of Section 22 of Article X
of the State Constitution is agreed to and shall be submitted
to the electors of this state for approval or rejection at the
next general election or at an earlier special election
specifically authorized by law for that purpose:

ARTICLE X

MISCELLANEOUS

SECTION 22. Parental notice of abortion.--

(a) Notwithstanding the right of privacy provided in
Article I, Section 23, the legislature shall by general law
require a physician to notify the parent or guardian of a
pregnant minor at least 48 hours before the physician
terminates the minor's pregnancy. The legislature shall not
require such notification if:

(1) A documented medical emergency exists and there is
insufficient time for the physician to notify the parent or
guardian;

(2) The minor is or has been married or has had the
disability of nonage removed; or

1 has had the disability of nonage removed, or if the circuit
2 court waives the notice requirement based on a finding of
3 child abuse or sexual abuse by the parent or guardian of the
4 minor or finds that such notification is not in the best
5 interest of the minor; and requiring that any court proceeding
6 be expeditious and confidential, that written transcripts be
7 maintained, and that filing fees and court costs be waived.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Joint Resolution 2178

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12 The committee substitute:

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Clarifies that the exceptions to the requirement for
notification are mandatory, not optional;

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Includes child abuse and sexual abuse by a family member or
resident of the home of the minor as grounds for an exemption
from the notice requirement; and

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Makes all judicial proceedings confidential.

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