

By the Committee on Judiciary; and Senator Flores

590-03189-11

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Senate Joint Resolution

A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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

That the following creation of Section 28 of Article I 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 I

DECLARATION OF RIGHTS

SECTION 28. Prohibition on public funding of abortions; construction of abortion rights.-

(a) Public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion.

This subsection does not apply to:

(1) Expenditures required by federal law;

(2) An abortion that is necessary to save the life of the mother; or

(3) Pregnancies that result from rape or incest.

(b) This constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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30 BE IT FURTHER RESOLVED that the following statement be
31 placed on the ballot:

32 CONSTITUTIONAL AMENDMENT

33 ARTICLE I, SECTION 28

34 PROHIBITION ON PUBLIC FUNDING OF ABORTIONS; CONSTRUCTION OF
35 ABORTION RIGHTS.—This proposed amendment provides that public
36 funds may not be expended for any abortion or for health-
37 benefits coverage that includes coverage of abortion. This
38 prohibition does not apply to expenditures required by federal
39 law, an abortion that is necessary to save the life of the
40 mother, or cases of rape or incest.

41 This proposed amendment provides that the State
42 Constitution may not be interpreted to create broader rights to
43 an abortion than those contained in the United States
44 Constitution. With respect to abortion, this proposed amendment
45 overrules court decisions which conclude that the right of
46 privacy under Article I, Section 23 of the State Constitution is
47 broader in scope than that of the United States Constitution.