

CONSTITUTIONAL AMENDMENT FULL TEXT

Ballot Title: Reproductive Freedom Amendment

Ballot Summary: Would provide that every individual has a right to reproductive freedom to make and conduct all pregnancy related decisions including childbirth, fertilization, sterilization, contraception, and termination of a pregnancy before fetal viability. Would prohibit the state or other entities from interfering with an individual or assisting entities from exercising this right. Would allow the state to regulate abortion care after fetal viability provided it does not endanger the life or health of the pregnant person.

Article and Section Being Created or Amended: Creates - Article 1, Section 28

Full Text of the Proposed Amendment: Section 28, Reproductive Freedom

a) Every individual has a right to reproductive autonomy and freedom to make and execute all decisions involving pregnancy, including but not limited to childbirth, fertilization, sterilization, contraception, and termination of a pregnancy before the point of fetal viability.

b) The State, or any subdivision of the state, shall not prohibit, penalize, burden, harass, discriminate against, or in any other way interfere with an individual in their exercise of this right, or any other individual or entity that assists an individual in the exercise of this right, unless justified by a compelling state interest that is to be achieved by the least restrictive means.

c) No other individual, firm, corporation, institution, or entity may prohibit, penalize, harass, discriminate against, or in any other way interfere with an individual in their exercise or this right, or any other individual or entity that assists an individual with the exercise of this right, under any circumstances.

d) The State may prohibit and regulate abortion care after the point of fetal viability provided that no abortions are prohibited that, in the professional judgement of an attending medical professional, are medically necessary to protect the life or health of the pregnant person.

e) 1) For the purposes of this section, "fetal viability" shall be defined as the point in pregnancy when, in the professional judgment of an attending medical professional and based on the particular facts of the case, there is a significant likelihood of the fetus surviving outside of the uterus without the application of extraordinary medical measures.

2) For the purposes of this section, a state interest is "compelling" only if it is for the limited purpose of protecting the health of an individual seeking care, consistent with accepted clinical standards of practice and evidence-based medicine and does not infringe on that individual's autonomous decision-making.

f) This section shall be self-executing.

Initiative Information

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Sponsor Name: Freedom & Liberty for Florida

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