



FLORIDA CONFERENCE OF CATHOLIC BISHOPS
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STRENGTHENING ABORTION LIMITS

Message:

***Support improved regulation of abortion laws (bills not filed)
and prohibiting abortion after 20 weeks gestation
SB 744 (Rodriguez, A.) / HB 351 (Gregory)***

BACKGROUND: The Agency for Health Care Administration (AHCA) is responsible for the regulation of laws related to abortion. Regulatory practices regarding current abortion laws could be strengthened, including establishing a more specific point in gestation after which abortions would be prohibited in place of the current prohibition of abortion once an unborn child is viable.

PROVISIONS: Current regulations of existing abortion laws can be strengthened in terms of:

- AHCA having oversight of all physicians who perform abortions, including offices for which it is not a “primary” service and therefore not currently licensed as abortion clinics
- Requiring that AHCA investigators review charts of all third trimester abortions that should only occur to save the life of the mother
- Requiring that AHCA investigators review the charts of infants born alive during an abortion, ensuring that viability testing took place beforehand and that the child was transferred to the hospital, as required by law
- Prohibiting abortion at a specific time in pregnancy, such as 20 weeks gestation, since there do not seem to be guidelines in place for inspectors to verify that the prohibition after viability is being upheld

RATIONALE: Existing laws should be regulated as the legislature intended. Prohibiting abortion after 20 weeks would align with research demonstrating that unborn children have the capacity of feeling pain at this gestational period.

DEATH PENALTY REPEAL

Message:

***Co-sponsor bills deleting capital punishment from Florida statutes.
SB 568 (Farmer) / HB 6019 (Geller)***

BACKGROUND: The default sentence in Florida for first degree murder is life without parole. Florida is a national outlier in our high number of death sentences, executions, death row population, and death row exonerees. However, Florida is moving away from its use of the death penalty as there were no executions in Florida in 2020 and public opinion polling shows growing support for alternatives to the death penalty.

BILL PROVISIONS: Deletes all provisions in Florida Statutes which provide for the death penalty for capital felonies.

RATIONALE: The death penalty is unnecessary as society can be kept safe through the alternative of life without parole. Death sentences are often applied arbitrarily, disproportionately affecting the mentally ill and the poor. The death penalty exacerbates grief for murder victims’ family members, costs the state millions of dollars more than life sentences, and does not deter future crime.

ABORTION - OPPONENTS' LIKELY OBJECTIONS AND RESPONSES:

OBJECTION 1: Strengthening regulations should be addressed with the regulatory agency rather than the legislature.

RESPONSE 1: If laws are not being regulated as intended by the legislature, it would be appropriate for the legislature to provide further direction to the appropriate agency.

OBJECTION 2: Prohibiting abortion at 20 weeks violates a woman's right to choose abortion.

RESPONSE 2: There was bipartisan support last session on the bill requiring parental consent prior to abortion and, hopefully, members of both major parties can agree that abortion should be prohibited once an unborn child has developed to the point of reacting to painful stimuli.

OBJECTION 3: This bill is unconstitutional.

RESPONSE 3: Over a dozen states have similar bills in effect and the U.S. Supreme Court has yet to rule directly on this issue.

SPONSOR AND CO-SPONSORS:

Regulatory bills: not yet filed

20-week prohibition: SB 744 – Sponsor: Rodriguez, A; Co-Sponsors: Baxley, Rodrigues, R; **HB 351** – Sponsor: Gregory; Co-Sponsors: Andrade, Barnaby, Bell, Beltran, Borrero, Byrd, DiCeglie, Garrison, Giallombardo, Hage, Harding, Maggard, McClain, Roach, Sabatini, Smith (D), Snyder, Yarborough

STATUS: SB 744 – Referred to Health Policy; Judiciary; Appropriations; **HB 351** – Referred to Professions & Public Health Subcommittee; Appropriations Committee; Health & Human Services Committee

DEATH PENALTY - OPPONENTS' LIKELY OBJECTIONS AND RESPONSES:

OBJECTION 1: The death penalty brings closure to murder victims' family members.

RESPONSE 1: Many murder victims' family members have publicly expressed that the years of litigation and uncertainty actually exacerbates their grief.

OBJECTION 2: The death penalty costs the state less than a life sentence.

RESPONSE 2: Seeking and carrying out the death penalty actually costs tax payers millions more than commuting those sentences to life without parole. Recent studies in other states have found that each capital case costs taxpayers up to \$1.5 million more per case than seeking a life sentence.

OBJECTION 3: The death penalty deters future crime.

RESPONSE 3: There is no significant evidence that the death penalty deters future crime. In fact, states and regions with the death penalty report higher rates of crime while those without capital punishment report lower rates of crime.

SPONSOR AND CO-SPONSORS:

SB 568 – Sponsor: Farmer; **HB 6019** – Sponsor: Geller, Joseph CoSponsor: Eskamani

STATUS:

SB 568 - Referred to Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

HB 6019 – Referred to Criminal Justice & Public Safety Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

For additional information, please contact:

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