

# Abortion rights amendment can be on the ballot: Florida Supreme Court

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Florida's Supreme Court on Monday paved the way for a ban on abortion after just six weeks of pregnancy, even as it allowed an abortion rights amendment to be on the ballot in November.

The pair of decisions threw into sharp relief the bitter fight over [reproductive rights](#), an issue that Democrats are championing in an election year.

Abortion is currently allowed in the southern state at up to 15 weeks of pregnancy but a Republican-backed law slashes that to six weeks, before many women even know they are pregnant.

The conservative-dominated state [supreme court](#) was considering both the legality of the abortion restrictions and the proposed amendment that would enshrine a woman's right to abortion in the Florida constitution.

Amendment 4, as it is called, reads in part: "No law shall prohibit, penalize, delay, or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's health care provider."

The viability of a fetus outside the womb is generally considered to be around 24 weeks.

At least 60 percent of the voters in Florida would need to approve the amendment, sponsored by a campaign called Floridians Protecting Freedom, for it to pass.

"We are thrilled Floridians will have the opportunity to reclaim their bodily autonomy and freedom from [government interference](#) by voting for Amendment 4 this November," campaign director Lauren Brenzel said.

"Floridians saw the legislature pass a 15-week and then a six-week abortion ban and this is our chance to engage in direct democracy to stop these unpopular and harmful policies," Brenzel said in a statement.

Florida Attorney General Ashley Moody, a Republican, had urged the seven-member state Supreme Court, which includes five members appointed by Republican Governor Ron DeSantis, to reject the placement of the amendment on the ballot.

## **Abortion access on the ballot**

Democrats have pushed reproductive rights to the fore of the campaign for November's general election, which is expected to feature a rematch between Democratic President Joe Biden and Republican Donald Trump.

Democrats are hoping that having abortion on the ballot will boost their turnout in Florida, won by Trump in both 2016 and 2020, and in other states.

In his annual address to Congress last month, Biden warned Republican anti-abortion lawmakers of the "power of women" and made it clear that reproductive rights will be a core theme of his campaign.

Biden is a devout Catholic, but as president, he has stood firm in his support for abortion access.

"This new, extreme abortion ban—one that Donald Trump personally paved the way for—will now amount to a ban for the entire Southeast," the Biden campaign said in a statement shortly after the Florida Supreme Court's decision.

"Florida is not an easy state to win, but it is a winnable one for President Biden."

The conservative-majority US Supreme Court, which includes three Trump nominees, overturned the constitutional right to abortion in June

2022 and left it up to individual states to decide the issue.

Some 20 states have since banned or restricted the procedure but voters in several Republican majority states have pushed back against moves to limit abortion access.

In conservative Kansas and Kentucky, as well as in the swing state of Michigan, voters rejected ballot initiatives in 2022 that would have effectively banned abortion.

Ohio voters passed a constitutional amendment last year ensuring abortion access.

In addition to Florida, there are pushes for [abortion](#) ballot measures in numerous other states including Arizona, Arkansas, Colorado, Maryland, Missouri, Montana, Nebraska, Nevada, New York and South Dakota.

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