

**FLORIDA FINANCIAL IMPACT ESTIMATING CONFERENCE
SUMMARY OF INITIATIVE FINANCIAL INFORMATION STATEMENT**

Amendment to Limit Government Interference with Abortion (23-07)

One year prior to the election, it is impossible to predict with any reasonable certainty what the legal landscape will be when the proposed amendment is on the ballot in November 2024. When this proposed amendment was analyzed, litigation was pending before the Florida Supreme Court challenging the Legislature's 2022 enactment of a prohibition on most abortions being performed if the gestational age of the fetus is more than 15 weeks. If the Court upholds the 2022 law, a 2023 law further reducing the 15 weeks to 6 weeks will take effect 30 days later. This could lead to additional litigation.

At least four possible outcomes could occur from these events. Not knowing which outcome will be in place makes a material difference to the financial impacts of the proposed amendment, if any. At a minimum, there is a significant difference in the number of abortions that occur up to and including 6 weeks and 15 weeks. This is because the number of abortions by weeks of gestation are skewed towards fewer weeks of gestation. For this reason, budgetary or revenue effects that are limited or undetectable at 15 weeks may be much stronger at 6 weeks.

- With respect to abortions themselves, prior case law in Florida indicates that the state does not have an obligation to pay for them. The Florida Legislature has made no changes to its policies regarding state abortion funding under either the 15-week or 6-week prohibitions. Future legislative changes, if any, in response to the passage of the proposed amendment are unknown.
- Some state programs may be affected by differences in the number of live births in the state. With respect to the education system and health and human services, if the 15-week prohibition is upheld by the Florida Supreme Court, regardless of whether the 6-week prohibition goes into effect, it is probable that the state will experience cost savings because of the proposed amendment. Alternatively, if the 15-week prohibition is not upheld, there would be no savings as the baseline policy would be essentially equivalent to the proposed amendment.
- At least one government program may be affected by the proposed amendment's requirement that no law shall prohibit, penalize, delay, or restrict abortion. If the 15-week prohibition is upheld, regardless of whether the 6-week prohibition goes into effect, it is probable that there will be cost savings to the criminal justice system as certain criminal penalties are invalidated. Alternatively, if the 15-week prohibition is not upheld, there would be no savings within the criminal justice system as the baseline policy would be essentially equivalent to the proposed amendment.
- With respect to state and local revenues, the baseline for the analysis is uncertain. While increased travel to the state would be expected to result in higher sales tax collections, this result, if it occurred, would not be a direct effect of the proposed amendment.