

RESOLUTION NO. 21-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, OPPOSING THE LEGISLATION PASSED IN TEXAS AND OTHER STATES THAT ABRIDGES A PERSON'S FUNDAMENTAL RIGHT TO PRIVACY BY CURTAILING THE RIGHT TO ABORTION, URGING ALL FLORIDA MUNICIPALITIES TO JOIN THE CITY OF FORT LAUDERDALE'S EFFORTS IN SAFEGUARDING AND PROMOTING ACCESS TO REPRODUCTIVE HEALTHCARE AND ABORTION RIGHTS, DIRECTING THE CITY'S STATE LOBBYISTS TO ADVOCATE AGAINST LEGISLATION THAT WOULD CURTAIL A PERSON'S RIGHT TO LEGAL ABORTION, AND PROVIDING FOR DISTRIBUTION AND AN EFFECTIVE DATE.

WHEREAS, in a 1973 landmark decision, *Roe v. Wade*, the United States Supreme Court established that, while not unqualified, the Due Process Clause of the Fourteenth Amendment to the U.S. Constitution provides a right of personal privacy that includes a pregnant woman's decision whether or not to terminate her pregnancy; and

WHEREAS, according to reports published by the Guttmacher Institute in 2003 and 2006, before *Roe v. Wade*, illegal abortions were estimated to range from 200,000 to 1.2 million per year and constituted at least 17 percent of all maternal deaths attributed to pregnancy and childbirth in 1965 alone; and

WHEREAS, the legalization of abortion in the U.S. led to safer practices and drastically reduced the incidence of maternal deaths and hospitalizations related to abortion; and

WHEREAS, according to a policy analysis published by the Guttmacher Institute in December of 2018, state legislatures across the country have adopted more than 420 abortion restrictions since 2011, with the strictest laws enacted recently in the State of Texas; and

WHEREAS, the law enacted in Texas on May 19, 2021, is the most restrictive anti-abortion law to date as it threatens an individual's fundamental right to privacy and the right to safe and legal access to abortion; and

WHEREAS, specifically, the Texas law, titled the "Texas Heartbeat Act" (the "Texas Law"), prohibits most abortions after six weeks and carries no exceptions for termination of a pregnancy resulting from rape or incest; and

WHEREAS, the Texas Law is the strictest anti-abortion measure passed in the United States in nearly half a century, which flouts the precedent established by the U.S. Supreme Court in *Roe v. Wade* and subsequent decisions, and bars state officials from enforcing the Texas Law. Instead, the law, deputizes private citizens to sue anyone who provides an abortion or "aids and abets" a procedure. Plaintiffs who have no connection to the patient or the clinic may sue and recover legal fees, as well as a \$10,000 dollar bounty if they win; and

WHEREAS, Texas's attempt to essentially ban abortion after six weeks, and eviscerate a person's right to choose, places the safety, health, and welfare of people at risk, as many people will nonetheless choose to terminate their pregnancies and will be forced to do so through unregulated, and potentially unsafe means; and

WHEREAS, the United States Supreme Court (the "SCOTUS"), in a controversial 5-4 decision on September 1, 2021, refused to block the "Texas Law"; and

WHEREAS, members of the Florida Legislature have publicly indicated they will be bringing forth similar "Heartbeat Laws," which have the ability to fully or partially ban abortion rights in Florida; and

WHEREAS, more states are expected to follow suit by passing new abortion restrictions, seemingly with the intention that such restrictions will be challenged and appealed, so that the SCOTUS is ultimately forced to reconsider the right to abortion; and

WHEREAS, according to a review published in *Reviews in Obstetrics and Gynecology* in 2009, each year, about five million women worldwide are hospitalized for complications arising from unsafe, illegal abortions; and

WHEREAS, a 2018 National Academies of Science, Engineering, and Medicine study concluded that abortion is safe and effective, but medically-unnecessary regulations of abortion can diminish the quality of abortion care by contributing to the decline of facilities that provide abortion, needlessly delaying abortion, and making it unnecessarily difficult to access abortion care; and

WHEREAS, according to leading public health organizations such as the American College of Obstetricians and Gynecologists, the American Medical Association, American Academy of Family Physicians, and the American Osteopathic Association, blocking women's access to legal abortion "jeopardize[s] women's health"; and

WHEREAS, the City of Fort Lauderdale has historically been at the forefront of advancing, promoting, and protecting the rights of marginalized communities, including reproductive rights; and

WHEREAS, the Florida standard for privacy extends even further than the federal standard, as Article I, Section 23 of the Constitution of the State of Florida explicitly provides, in part, that "[e]very natural person has the right to be let alone and free from governmental intrusion into the person's private life. . . .";

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission opposes legislation passed in Texas and other states that abridges a person's fundamental right to privacy by curtailing the right to abortion.

SECTION 2. That the City Commission urges all Florida municipalities to join its efforts in safeguarding and promoting access to reproductive healthcare and abortion rights, and pass resolutions urging the Florida Legislature to take steps necessary to protect and promote reproductive healthcare and abortion rights, instead of restricting them.

SECTION 3. That the City Commission directs the City's state lobbyists to advocate against legislation that would curtail a woman's right to legal abortion.

SECTION 4. That the City Commission directs the City Clerk to transmit copies of this resolution to Governor Ron DeSantis, Senate President Wilton Simpson, Speaker of the House Chris Sprowls, the members of the Broward State Legislative Delegation, and the City's state lobbyists.

SECTION 5. That this Resolution shall take effect immediately upon its adoption.

ADOPTED this _____ day of _____, 2021.

Mayor
DEAN J. TRANTALIS

RESOLUTION NO. 21-

PAGE 4

ATTEST:

City Clerk
JEFFREY A. MODARELLI