

News From The States

REPRODUCTIVE RIGHTS TODAY

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By Elisha Brown



The Florida Supreme Court heard oral arguments Wednesday about whether an abortion rights ballot petition should move forward.

(Danielle J. Brown/Florida Phoenix)

Justices on the conservative-leaning Florida Supreme Court questioned counsel from Republican **Attorney General Ashley Moody's office** Wednesday who argued that an abortion rights measure should be barred from the November ballot. Senior Deputy Solicitor General Nathan Forrester said that the ballot summary — sponsors want to codify abortion up to fetal viability or later if the patient's health is at risk — was misleading and doesn't account for potential federal restrictions on abortion, [Florida Phoenix](#) reports.

Chief Justice Carlos Muñiz, who often referred to fetuses as the “unborn,” wasn't convinced. “It just doesn't seem like this is trying to be deceptive,” Muñiz told Forrester. “The

people of Florida aren't stupid. I mean, they can figure this out," he concluded, drawing laughter from the crowd inside the courtroom.

Attorney Courtney Brewer represented **Floridians Protecting Freedom**, the group behind the initiative. Justice Meredith Sasso, a recent Gov. Ron DeSantis appointee, questioned and repeatedly interrupted Brewer, according to the Phoenix. **Even Justice Charles Canady, who supported anti-abortion legislation as a state lawmaker, appeared skeptical of the Moody team's arguments.** He agreed with Justice John Couriel, who said changing the standard for ballot initiatives would be dramatic. "It imposes an impossible burden on the people proposing an amendment," Canady said.



Members of Florida Voice for the Unborn gathered outside the state Supreme Court on Feb. 7, 2024. (Mitch Perry/Florida Phoenix)

Outside the hearing, abortion rights supporters and opponents rallied for their causes, the [Phoenix](#) reports. Anti-abortion group **Florida Voice for the Unborn** held a half-hour press conference. Speakers included state GOP Rep. Webster Barnaby and Frank Pavone, a [Texas pastor whom the Vatican defrocked in 2022](#) for "blasphemous communication on social media," among other accusations.

Reproductive rights groups and Florida Democrats, including **House Minority Leader Fentrice Driskell** and state **Democratic Party Chair Nikki Fried**, were also on the scene. Driskell said she was optimistic that the justices will approve the abortion rights measure. "This court has veered extremely right and extremely conservative, but hopefully they go back to the fundamentals of what their job was today," she said.

Meanwhile, Florida Republican lawmakers proposed further abortion restrictions this week. A bill sponsored by **Sen. Erin Grall** that would allow [wrongful-death claims for fetuses](#) cleared a committee on Monday by a party-line vote. Grall dismissed charges from Democrats that her legislation could legally define fetuses as people.

Oklahoma legislators propose free menstrual products for students



Three bills filed in the Oklahoma Legislature would put free pads and tampons in public school bathrooms. (Getty Images)

Oklahoma City high schools are stocked with free menstrual products because local students encouraged Superintendent Cecilia Robinson-Woods to provide the essentials. “It was a real blind spot to find out that I just had not considered the level of trauma that happens for kids who just can’t afford these products,” Robinson-Woods told [Oklahoma Monitor](#). The students’ requests led her to reach out to state Sen. George Young about the issue last year. Young, a Democrat, refiled legislation this session that would require all schools to provide free feminine hygiene products in women’s restrooms.

Young is hopeful that the Republican-controlled legislature will consider his bill, which never received a committee hearing last year. GOP lawmakers have filed similar bills. For instance, **Rep. Cynthia Roe’s proposal would require middle and high schools to put free pads and tampons in female and gender-neutral bathrooms.** Elementary schools would have to put the items in a neutral location under Roe’s legislation. Roe told the Monitor it can be harder for rural Oklahomans to get free menstrual products. “I think we’ve all been in that situation of, ‘Oh my God, I’m not home and this happened,’” she said. “This would be more of a long-term solution for these girls.”

Montana attorney general urges state high court to reject abortion initiative

The Montana attorney general's office asked the state Supreme Court to uphold its rejection of an abortion rights petition. [Daily Montanan](#) reports that **the office argued in court filings submitted Monday that a proposed constitutional amendment would confuse voters.** [Montanans Securing Reproductive Freedom](#) wants to place an abortion referendum on the ballot. The proposal would explicitly secure abortion access up to fetal viability or beyond to protect a mother's health.

Last month, Attorney General Austin Knudsen's office determined that the proposal [logrolled](#) multiple subjects into one initiative and limited the state's ability to protect the public. The latest filings from Knudsen's staff also say the measure is unnecessary, considering that the Montana Supreme Court ruled more than two decades ago that **residents have a right to abortion under state privacy tenets.** According to the [Montanan](#), the top court will weigh arguments from the abortion rights group and the state in the coming weeks.

Iowa bill would increase penalties for abortions without consent

Republican lawmakers advanced a bill Tuesday that would increase penalties for causing pregnancy terminations without consent, [Iowa Capital Dispatch](#) reports. The measure would toughen punishment to a [Class A felony](#) — a life sentence with no possibility of parole or probation.

Mazie Stilwell, director of public affairs at **Planned Parenthood Advocates of Iowa**, said the bill is an attempt to codify the term “unborn person” into law. “This bill opens an unneeded door for further legislative attacks on pregnant Iowans, including additional criminalization and surveillance,” Stilwell said.

Members of the **Iowa Catholic Conference** and **Family Leader**, a conservative Christian organization, back the legislation. “The bill acknowledges, quite clearly, what we all know: Life begins at the moment of conception,” said Danny Carroll, a Family Leader advocate.

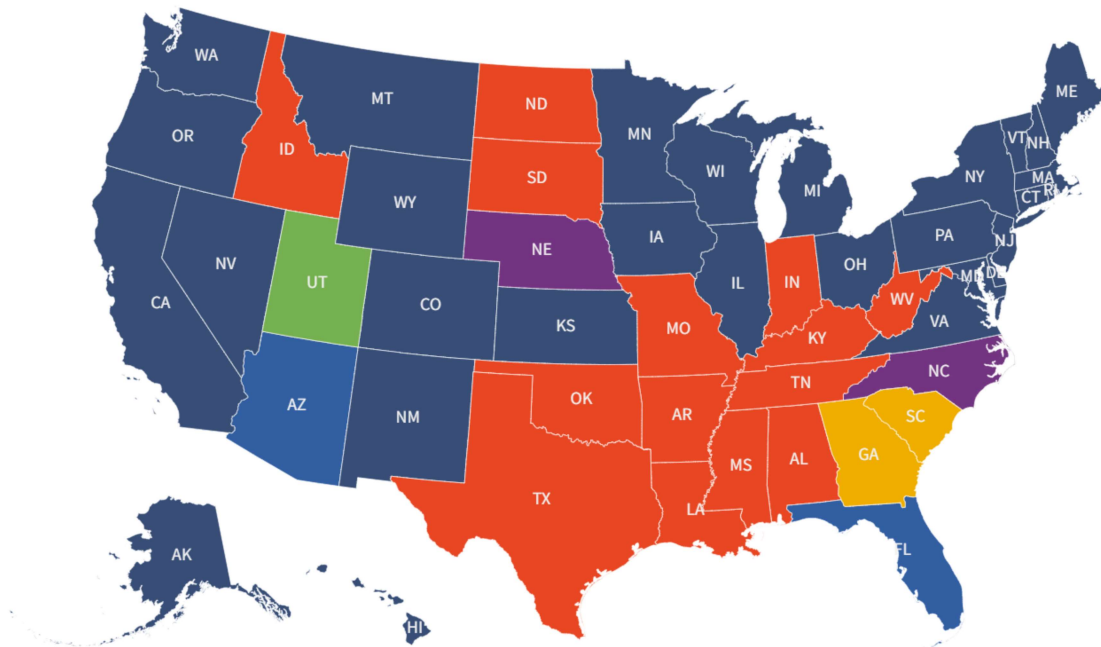
THE PULL *Commentary from Wisconsin*

“If I received the same fatal fetal diagnosis in Wisconsin under the 1849 statute, I would be faced with a dire choice: carry my pregnancy to term, risking my own life to deliver a baby who would likely die within hours, or take time off work and travel hundreds of miles out of state to receive care.” — **Jennifer Vollstedt**, former labor and delivery nurse and a mother to 6-year-old, [Wisconsin Examiner](#)

THE PULSE *Reproductive rights news across the country*

- Alabama Gov. Kay Ivey said she plans to launch a program for pregnant people who need checkups in areas of need. ([Alabama Reflector](#))
- Abortion rights advocates asked the Michigan Court of Claims to throw out some of the state's remaining restrictions, including a 24-hour waiting period. ([WVPE](#))
- A judge allowed a lawsuit against a Massachusetts anti-abortion center to move forward. ([NBC Boston](#))
- Reproductive rights advocates say Latinas are often left out of news coverage and lawsuits about abortion despite being disproportionately affected by bans and restrictions. ([Axios](#))
- Researchers found that study participants with polycystic ovary syndrome performed slightly lower on cognitive tests than women without PCOS, but the study's lead author said people with the hormone disorder shouldn't be alarmed. ([The Washington Post](#))

STATE BY STATE *Abortion access in the U.S.*



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