
TODAY

from States Newsroom

Thanks for being here and [supporting our work](#).



From Elisha Brown

✉ ebrown@statesnewsroom.com
X [@elishacbrown](https://twitter.com/elishacbrown)



The Florida Supreme Court has until April 1 to decide the fate of an abortion ballot petition. Anti-abortion groups submitted last-minute arguments suggesting that embryos and fetuses have "personhood" rights. (Mitch Perry/Florida Phoenix)

The Florida Supreme Court has until Monday to decide whether an abortion rights measure can make the November ballot.

Floridians Protecting Freedom is behind the proposed constitutional amendment, which would restore abortion up to fetal viability and later in pregnancy to save the patient's health or life.

Republican Attorney General Ashley Moody and other abortion opponents have argued that the petition is vague and should be blocked.

Justices appeared [skeptical](#) of the anti-abortion groups' arguments during a February hearing. The groups recently submitted court filings arguing that the state constitution protects rights for embryos and fetuses, [Florida Phoenix](#) reported.

“But there’s no record in the case docket suggesting the court is considering that argument, which neither the initiative’s sponsors nor the state addressed in legal briefs or oral arguments,” according to the Phoenix.

In a [filing](#), **Susan B. Anthony Pro-Life America** cited an analysis that notes Florida outlawed abortion in 1868 and that by implication, the constitution extends “personhood” to embryos and fetuses.

The filing doesn’t mention how the state constitution could have protected abortion after the U.S. Supreme Court *Roe v. Wade* ruling in 1973 or the 1989 Florida Supreme Court decision that said abortion is protected by state privacy rights, the Phoenix reported. (Florida’s high court is also considering whether to overturn the 1989 precedent in a constitutional challenge of the state’s [15-week abortion ban](#).)

Liberty Counsel and **Florida Voters Against Extremism** also filed similar court [documents](#) after last month’s hearing. Moody [offered](#) to file a post-argument brief, too, but the court declined.

Floridians Protecting Freedom dismissed the efforts. “It would be unprecedented for the court to block an amendment from the ballot for not predicting a position on a legal theory that no court in Florida has ever taken,” policy counsel Michelle Morton said in an email to the Phoenix.

“Neither the attorney general, nor opponents, raised this issue during briefing, as it is beyond the scope of the court’s review,” Morton said.

THE BEAT *States Newsroom coverage*

Alabama Democrat who ran on reproductive rights flips House seat



Alabama House District 10 candidate Marilyn Lands, a Democrat, focused her campaign on reproductive rights after the state Supreme Court issued an unprecedented ruling that threatened IVF last month. (Courtesy of Marilyn Lands)

Democrat **Marilyn Lands** won a special election Tuesday for a Huntsville-area House seat, [Alabama Reflector](#) reported. Lands emphasized ending Alabama’s near-total abortion ban along with protecting access to contraception and in vitro fertilization during her campaign. Lands defeated Republican **Teddy Powell with [62% of the vote](#)**. She will succeed former Rep. [David Cole](#), a Republican who resigned in August after pleading guilty to voter fraud charges.

“Alabama women and families sent a clear message that will be heard in Montgomery and across the nation,” Lands said in a statement. She has previously discussed having an abortion for an unviable pregnancy. **Lands told the [Reflector](#) that restoring abortion rights in the GOP-led legislature will be difficult.** Change would have to start with adding [exceptions](#) for rape and incest to the ban, she said.

Reproductive rights became a focal point in Lands’ campaign after the Alabama Supreme Court issued a [ruling](#) last month that said frozen embryos are “children” and led to the temporary suspension of fertility services in the state.

For his part, Powell focused his messaging on infrastructure, the economy and education. He conceded shortly after polls closed Tuesday and wished Lands the best. “We ran a tough and respectful race and that is something that we are incredibly proud of,” Powell said in a statement. “Our state has so much to offer and I believe if we come together, we can accomplish great things.”

Nebraska lawmaker told to ‘knock it off’ after urging ministers to oppose abortion rights petition

The head of the Nebraska Legislature’s Executive Board told a Republican colleague to apologize after sending a letter to ministers urging them to speak out against an abortion rights initiative. **Sen. Loren Lippincott wrote to pastors on state letterhead**, asking them to “stand against” and “use your influence” to oppose a petition seeking to restore abortion up to fetal viability, [Nebraska Examiner](#) reported. “Stand up and speak up to your congregation for life in its entirety with your commitment to promote biblical truths,” the letter said.

GOP Sen. Ray Aguilar, chairman of the legislative executive board, said **a minister in his district complained about the letter and rejected being told how to deal with the issue of abortion** in his congregation. Aguilar said he advised Lippincott to “knock it off” and apologize. David Hunter, the director of the Nebraska Accountability and Disclosure Commission, told the Examiner the letter likely did not violate state rules because it didn’t equate to a “mass mailing.” Earlier this month, some abortion opponents launched a petition that would ban abortion after the [first trimester](#) of pregnancy. The state bans most abortions after 12 weeks’ gestation.

Rule-making delays New Jersey’s prescription-free birth control law

Bureaucracy is stalling a New Jersey law that lets pharmacists distribute birth control without a prescription. The measure was set to take effect last May, [New Jersey Monitor](#) reported. Democratic Gov. Phil Murphy and other officials attributed the delays to rule-making and originally said

prescription-free contraception would be available in early 2024. **Now, the attorney general's office said June is the earliest date, but that's subject to change** based on rule finalization from the Board of Medical Examiners and the Board of Pharmacy.

Pharmacists also must complete training, the Monitor reported. It's unclear how many pharmacies will participate in the optional program. Meanwhile, a law in [New York](#) allowing pharmacists to distribute three types of birth control – pills, patches and rings — without a prescription took effect last week. More than two dozen states have similar laws, according to the [Guttmacher Institute](#).

THE PULL *Commentary from Montana*

“Inevitably, U.S. Food and Drug Administration vs. Alliance for Hippocratic Medicine is pending in the U.S. Supreme Court. One person can be ‘pro-life,’ of course, even as the next person may be ‘pro-choice.’ It’s difficult, though, to comprehend the fact that the quarrel isn’t about the FDA: It’s about abortion.”

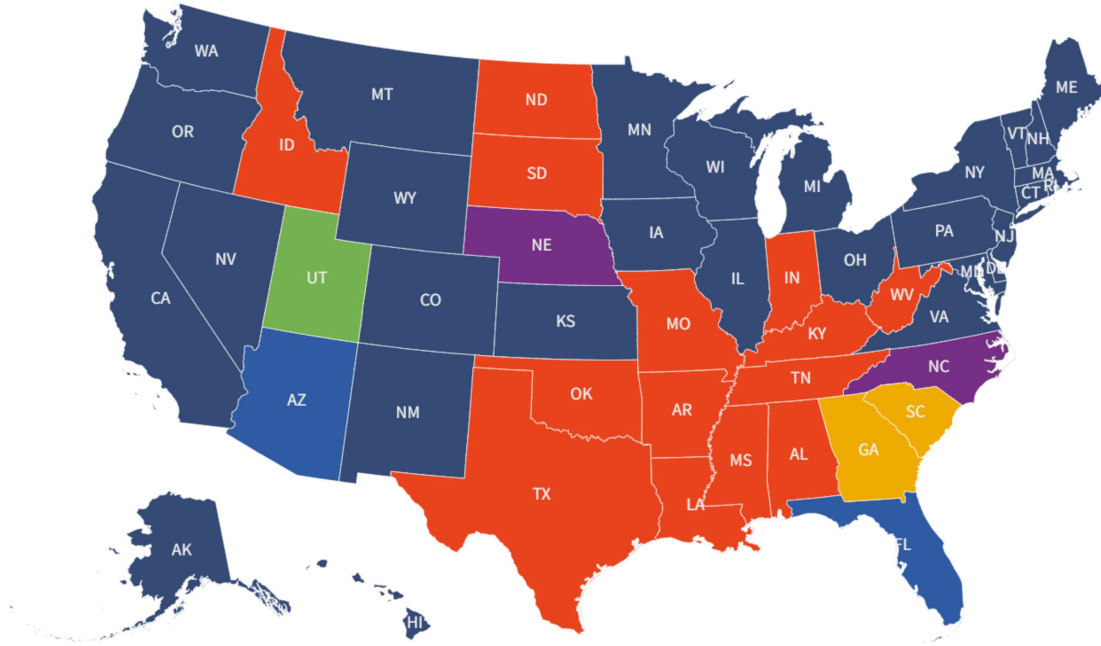
— **Bruce Lohof**, columnist, [Daily Montanan](#)

THE PULSE *Reproductive rights news from across the country*

- Idaho Gov. Brad Little signed a bill into law that expands postpartum Medicaid from 60 days to a year. ([Idaho Capital Sun](#))
- California is considering whether to buy more abortion pills for the state’s stockpile — officials already distributed 250,000 pills to providers. ([Cal Matters](#))
- The Oregon Health Authority launched an abortion access website on Tuesday, the same day the U.S. Supreme Court heard arguments in an abortion pill case. ([Oregon Capital Chronicle](#))
- Michigan’s governor and attorney general said the abortion pill case is part of continued attacks on reproductive rights. ([Michigan Advance](#))
- Connecticut officials condemned the mifepristone case before the Supreme Court. ([CT Mirror](#))

- What would it mean in Arizona if mifepristone access is restricted?
([Arizona Mirror](#))

STATE BY STATE Abortion Access in the US



[Open interactive map](#)

Did someone forward you this newsletter?

[SUBSCRIBE](#) | [LEARN MORE ABOUT OUR NEWSROOMS](#) | [FOLLOW](#)

©News From The States, all rights reserved.

www.newsfromthestates.com | info@newsfromthestates.com

Manage your donation and subscription preferences [here](#).

Add info@newsfromthestates.com to your [address book](#) to ensure delivery.

Did someone forward you this newsletter? [Click here](#) to get it delivered to your inbox.

News From The States is a part of [States Newsroom](#), the nation's largest nonprofit news organization dedicated to state coverage, with reporting from every state capital.

States Newsroom – News From The States
1414 Raleigh Rd #127
Chapel Hill, NC 27517
United States

You are receiving this email because you opted in via our website or States Newsroom. If you believe you received this message in error or wish to change your subscription, please (Unsubscribing is not supported in previews).