



789458

LEGISLATIVE ACTION

Senate

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House

Senator Book moved the following:

Senate Amendment (with title amendment)

Between lines 269 and 270

insert:

Section 6. Section 390.035, Florida Statutes, is created to read:

390.035 Civil cause of action.—

(1) A woman who is prevented by law from obtaining an abortion has a civil cause of action against the father of the child for compensatory damages incurred as a result of carrying



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an unwanted pregnancy beyond the point at which the woman otherwise would have sought an abortion.

(2) Compensatory damages include emotional distress and pain and suffering sustained by the woman as a result of carrying the unwanted pregnancy due to her lack of access to abortion care.

(3) Upon a showing by clear and convincing evidence that the defendant is the father of the child, the father is liable for the full monetary value of damages incurred by the woman as a result of carrying the unwanted pregnancy.

(4) Upon a showing by clear and convincing evidence that the pregnancy resulted from rape, incest, fraud, or undue duress, the father is liable for treble damages.

(5) This section does not alter a father's obligation to provide child support under chapter 61.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 39

and insert:

abortion clinics; creating s. 390.035, F.S.; creating a cause of action for women who are unable to obtain a legal abortion and must carry an unwanted pregnancy; providing for compensatory and treble damages against the father of the child if certain evidentiary burdens are met; providing construction; amending s. 456.47, F.S.;