

LEE COUNTY RESOLUTION NO. 24-09-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, IN OPPOSITION TO AMENDMENT 4, A PROPOSED CONSTITUTIONAL AMENDMENT CONCERNING ABORTION.

WHEREAS, the Board of County Commissioners of Lee County, Florida ("Board"), has been made aware of Amendment 4, a proposed amendment to the Florida Constitution that is scheduled to appear on the November 5, 2024, ballot; and,

WHEREAS, Amendment 4, titled as "Amendment to Limit Government Interference with Abortion", would amend the Florida Constitution by adding the following underlined text: Limiting government interference with abortion- Except as provided in Article X. Section 22, no law shall prohibit, penalize, delay, or restrict abortion before viability or when necessary to protect the patient's health. as determined by the patient's healthcare provider.

WHEREAS, the proposed amendment would provide a constitutional right to abortion before fetal viability (estimated to be around 24 weeks gestational age) or when necessary to protect the patient's health, as determined by the patient's healthcare provider; and

WHEREAS, the Board believes that the language of the proposed amendment is vague, deceptive, and overbroad and would strike already enacted protections instituted by the State of Florida by broadening the definition of healthcare providers to those not medically licensed, and allowing the life of the unborn to be taken right up to the moment of birth; and,

WHEREAS, the Board believes that the passage of Amendment 4 would be detrimental to the health, safety, and welfare of the citizens of Lee County and the State of Florida.

NOW THEREFORE, BE IT RESOLVED BY THAT THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, expresses its strong opposition to Amendment 4.

Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Ruane. The vote was as follows:

| | |
|---------------------|-----|
| Kevin Ruane | Aye |
| Cecil L Pendergrass | Aye |
| Raymond Sandelli | Nay |
| Brian Hamman | Aye |
| Mike Greenwell | Aye |

DULY PASSED AND ADOPTED this 3rd day of September 2024.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BY: *Kevin C. Karnes*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Mike Greenwell*
Mike Greenwell, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

[Signature]
County Attorney's Office

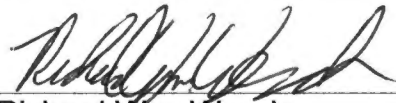
**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

VIA HAND DELIVERY

DATE: September 3, 2024

To: Commissioner Greenwell
Chair, Board of County
Commissioners

FROM:


Richard Wm. Wesch
County Attorney

RE: Amendment 4 Resolution
Agenda Item #A1, Meeting Date September 3, 2024

A-5 F/K/A A-1

Attached, approved as to form, please find the original of the above-referenced resolution adopted by the Board of County Commissioners on September 3, 2024.

The original agreement is attached to this memorandum for execution. Kindly execute the agreement at your earliest convenience and then forward to Eileen Gabrick in the Minutes Department.

By copy of this memorandum to Eileen Gabrick, I request that a clerk attest to the Chair's signature on the attached resolution and return the fully executed original with all exhibits to my attention.

Thank you for your assistance.

RWW:tib

Attachment: Resolution

cc via email only: Eileen Gabrick, Minutes Office Manager
leeclerkminutes@leeclerk.org
Laurel Chick, Manager, Internal Services

RECEIVED
MINUTES OFFICE
MLC
2024 SEP -4 AM 10:08



AGENDA ITEM REPORT

A-5
F/K/A A-1

DATE: September 3, 2024
DEPARTMENT: County Attorney
REQUESTER: Richard Wm. Wesch
TITLE: Resolution Opposing Proposed Constitutional Amendment 4 Concerning Abortion

I. MOTION REQUESTED

Consider approval of a Resolution opposing Amendment 4, a proposed constitutional amendment concerning abortion.

II. ITEM SUMMARY

Amendment 4, a proposed constitutional amendment concerning abortion will appear on the November 5, 2024. The Amendment would amend the Florida Constitution by adding the following underlined text: Limiting government interference with abortion- Except as provided in Article X. Section 22, no law shall prohibit, penalize, delay, or restrict abortion before viability or when necessary to protect the patient's health. as determined by the patient's healthcare provider.

III. BACKGROUND AND IMPLICATIONS OF ACTION

- A) Board Action and Other History
- B) Policy Issues
- C) BoCC Goals
- D) Analysis
- E) Options

IV. FINANCIAL INFORMATION

| | | |
|----|--|----------------------|
| A) | Current year dollar amount of item: | No funding required. |
| B) | Is this item approved in the current budget? | N/A |
| C) | Is this a revenue or expense item? | N/A |
| D) | Is this Discretionary or Mandatory? | N/A |
| E) | Will this item impact future budgets? If yes, please include reasons in III(D) above. | No |
| F) | Fund: Program: Project: Account Strings: | |
| G) | Fund Type? | |
| H) | Comments: | |

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION

VII. FOLLOW UP

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------------------------|-------------|------------|
| <u>Resolution Amendment 4</u> | 8/22/2024 | Cover Memo |

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|--------------------|----------|----------------------|
| County Attorney | Wesch, Richard Wm. | Approved | 8/22/2024 - 11:30 AM |
| Budget Services | Winton, Peter | Approved | 8/26/2024 - 10:59 AM |
| County Attorney | Wesch, Richard Wm. | Approved | 8/26/2024 - 3:24 PM |
| County Manager | Harner, David | Approved | 8/27/2024 - 3:10 PM |