

Petition Serial Number: I-05-2024 Application Date: September 12, 2023

Due Date: July 3, 2024 Signatures Required: 383,923

Sponsor: Filer ID: 101432

Name of Organization: Arizona for Abortion Access

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Name of Officer and Title: Dacey Montoya, Applicant and Treasurer Candace Lew, Chair

Overview:

"The Arizona Abortion Access Act amends the Arizona Constitution to establish a fundamental right to abortion that the State (defined by the act to mean the State, an agency of the State, or a political subdivision of the State) may not deny, restrict or interfere with [1] before the point in pregnancy when a health care provider determines that the fetus has a significant likelihood of survival outside the uterus without extraordinary medical measures unless justified by a compelling governmental interest (defined by the act as a law, regulation, policy, or practice enacted for the limited purpose of improving or maintaining the health of an individual seeking abortion care, consistent with accepted clinical standards of practice and evidence-based medicine, and that does not infringe on that individual's autonomous decision-making) that is achieved by the least restrictive means, or [2] after that point in pregnancy if a health care provider determines an abortion is necessary to protect the life or the physical or mental health of the pregnant individual; and under which the State may not penalize individuals or entities for assisting a pregnant individual in exercising their right to abortion."

Official Language:

"CREATES A FUNDAMENTAL RIGHT TO ABORTION. LIMITS THE STATE'S ABILITY TO INTERFERE WITH THAT RIGHT BEFORE FETAL VIABILITY. AFTER FETAL VIABILITY, ABORTIONS ARE ALLOWED WHEN NECESSARY TO PROTECT THE LIFE OR HEALTH OF THE PREGNANT INDIVIDUAL. PROHIBITS LAWS PENALIZING A PERSON FOR ASSISTING AN INDIVIDUAL OBTAINING AN ABORTION.

A "yes" vote shall have the effect of creating a fundamental right to abortion under Arizona's constitution. The State will not be able to interfere with this fundamental right before fetal viability unless it has a compelling reason and does so in the least restrictive way possible. Fetal viability means the point in the pregnancy when, in the good-faith judgment of a treating health care professional, the fetus has a significant likelihood of survival outside the uterus. Throughout the pregnancy, both before and after fetal viability, the State will not be able to interfere with the good-faith judgment of a treating health care professional that an abortion is necessary to protect the life or health of the pregnant individual. The State will not be able to penalize any person for aiding or assisting a pregnant individual in exercising the right to an abortion.

A "no" vote shall have the effect of not creating a fundamental right to have an abortion under Arizona's constitution, will leave in place current laws that restrict abortion before fetal viability, and will allow the State to further restrict or ban abortion in the future."