



www.RightToLifeLeague.org
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April 27, 2023

Committee Chair, Jim Wood
Assembly Health Committee
1020 N Street, Room 390
Sacramento, California 95814

Re: Letter opposing AB 710 targeting pro-life speech

Dear Chair and Members of the Assembly Health Committee,

On behalf of the Right to Life League and our supporters, we urge you to reject **AB 710**.

The author's stated intent is to provide exclusive funding for abortion clinics. The bill directs the state government to orchestrate targeted propaganda through an "awareness campaign" against pro-life clinics and crisis pregnancy centers because these businesses choose not to provide abortion services. Attached to this letter as Exhibit A is the author's "Fact Sheet" for AB 710, dated March 22, 2023.

In addition to being potentially libelous, the author's attacks on pro-life clinics' and centers' professional speech as "misinformation" designed to "mislead" pregnant women with "false advertisement" are thinly veiled false attacks on the content of pro-life speech. AB 710 is reminiscent of California's unconstitutional targeting of pro-life First Amendment rights which the Supreme Court struck down in *NIFLA v. Becerra*.

The bill clearly favors abortion clinics over other licensed medical clinics that choose not to provide abortions. It proposed to direct taxpayer funding towards only those clinics that provide abortion to thwart pro-life messaging. Its blatantly imbalanced funding mechanism creates unequal financial treatment of abortion and childbirth which may violate the California Constitution, pursuant to *Committee to Defend Reproductive Rights v. Myers*, 29 Cal.3d 252 (1981).

In 1981, conservative forces in the state legislature sought to limit access to abortion services through various budget acts. In *CDRR v. Myers*, the California Supreme Court struck down the legislature's ban on Medi-Cal funding of abortion.

The Court emphasized that the state could not intervene in the very intimate decision about whether to give birth or have an abortion, e.g.:

By virtue of the explicit protection afforded an individual's inalienable right of privacy by article I, section 1 of the California Constitution, however, the decision whether to bear a child or to have an abortion is so private and so intimate that each woman in this state -- rich or poor -- is guaranteed the constitutional right to make that decision as an individual, uncoerced by governmental intrusion. Because a woman's right to choose whether or not to bear a child is explicitly afforded this constitutional protection, in California the question of whether an individual woman should or should not terminate her pregnancy is not a matter that may be put to a vote of the Legislature.

If the state cannot directly prohibit a woman's right to obtain an abortion, may the state by discriminatory financing indirectly nullify that constitutional right? Can the state tell an indigent person that the state will provide him with welfare benefits only upon the condition that he join a designated political party or subscribe to a particular newspaper that is favored by the government? Can the state tell a poor woman that it will pay for her needed medical care but only if she gives up her constitutional right to choose whether or not to have a child?

There is no greater power than the power of the purse. If the government can use it to nullify constitutional rights, by conditioning benefits only upon the sacrifice of such rights, the Bill of Rights could eventually become a yellowing scrap of paper.

For these reasons, we urge this committee to vote NO on AB 710.

Very Truly Yours,

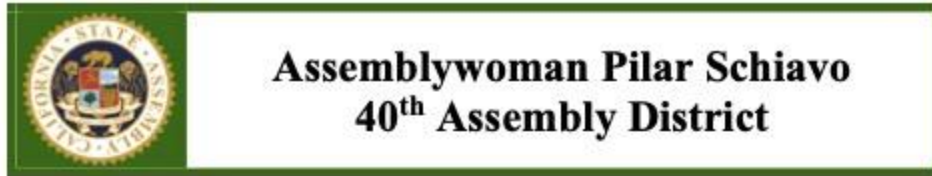


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EXHIBIT A





AB 710 Crisis Pregnancy Centers

Summary

AB 710 seeks to expose fake crisis pregnancy centers by launching a public awareness campaign to provide medically accurate information as to the availability of abortions at clinics claiming to provide these services.

Background

In June of 2022, Roe v. Wade was overturned by the Supreme Court, exposing large segments of the population to blockages and delays in receiving the abortion care they seek.

Those seeking an abortion in California are often derailed in their search for access as crisis pregnancy centers outnumber abortion clinics by 20%. Their disinformation encourages pregnant persons to seek out assistance, with the intention of receiving abortion services, only to find that they are not available. Instead, attempts are made to shame and intentionally mislead women about their reproductive options then to dissuade them from the decision that is most appropriate for them and their families. This delay and false advertisement prevents pregnant persons from receiving the care they choose in a timely manner.

This Bill

AB 710 will launch a public information campaign through the California Department of Public Health to deliver medically accurate, comprehensive and unbiased information about women’s health care clinics and the services they provide.

Factual information about the pregnancy care and abortion services provided will be disbursed amongst the public and to those in the health care space to ensure persons seeking abortion care know where to get medically accurate, comprehensive, and unbiased information.

Support

Author Sponsored

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