



To: Members of the Senate Government Oversight & Reform Committee

From: Gary Daniels, Chief Lobbyist

Date: October 21, 2015

Re: Senate Bill 214

To Chairman Coley, Vice Chair Seitz, Ranking Minority Member Yuko and members of the Senate Government Oversight and Reform Committee, my name is Gary Daniels, chief lobbyist for the American Civil Liberties Union ("ACLU") of Ohio. I appear today to present opponent testimony on Senate Bill 214.

Our primary concern lies with the undefined language of "promote" found in this legislation. More specifically, SB 214 forbids any entities who are funded by specific sources from: 1) "promoting nontherapeutic abortions", 2) contracting "with any entity that performs or promotes nontherapeutic abortions" and 3) becoming or continuing "to be an affiliate of any entity that performs or promotes nontherapeutic abortions."

During sponsor testimony, Senate President Faber said he is unaware of SB 214 affecting any organizations but Planned Parenthood. Given the vague language just quoted, however, this bill will certainly affect more people and groups than Planned Parenthood. The question is who else will be impacted?

Senate Bill 214 fails to define "promote." If an Ohio organization serves women who have been raped and also receives funding via The Violence Against Women Act, will they be able to actively counsel women who become pregnant as a result of rape about all available options going forward, including abortion? Can they passively include in their literature or mention on their website the legal and constitutional right to abortion? Or are they forbidden from mentioning abortion under any and all scenarios and circumstances?

This problem is further compounded by SB 214 making no distinction between whether an organization uses or may use the funding streams in question for informing clients about the option of abortion. In other words, a group may receive this funding for a relatively small portion of their work but will apparently be 100% prevented from "promoting" abortion no matter the origin of the funding.

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Without further guidance from the legislature regarding the definition and scope of "promote," affected organizations will likely choose to play it safe and interpret this censorship mandate broadly. Of course, this is most likely the goal of SB 214's supporters.

So, the idea SB 214 will affect only Planned Parenthood is inconceivable. With this bill on an apparent fast track, will there be any research or investigation into how many others will be affected? That there has been zero mention, consideration, or inquiry into this on a quickly-moving bill is telling.

We urge this committee to examine these concerns so legislators, proponents and opponents of this bill, the media, and others will all be fully aware of the ramifications of SB 214's passage.

The ACLU of Ohio also recognizes the valuable contributions Planned Parenthood of Ohio has made with regard to the health of women and families across the state. We question the wisdom of stripping funding from an organization with a proven and positive record of providing important services to all in need.

Some maintain there are other organizations and clinics who can do it all better. The State of Ohio chose Planned Parenthood for funding now and in the past, across multiple administrations, in recognition of its effectiveness and popularity. No matter one's opinion on Planned Parenthood, it is clear this bill is unnecessary for the state to redirect funding. Others hoping for such funding are conceivably eligible for that funding now, with or without SB 214.

Senate Bill 214 is unnecessary, full of unknowns, and strips funding from an organization countless Ohio women are comfortable with, trust and rely upon for their health care needs. We urge a "no" vote from members of the Senate Government Oversight & Reform Committee.