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Florida Decides Healthcare Files Lawsuit Challenging DeSantis' Attack on Direct Democracy

Tallahassee, Fla. – Today, **Florida Decides Healthcare (FDH)**, alongside the **Southern Poverty Law Center (SPLC)** and the **Elias Law Group**, held a [press conference](#) announcing a new federal lawsuit challenging [HB 1205](#), a law that severely restricts Florida's citizen-led constitutional amendment process. Governor Ron DeSantis signed the bill into law on Friday, triggering swift legal action from FDH and its counsel Sunday evening.

The [lawsuit](#), filed in federal court, argues that this new law is a direct assault on Florida's citizen-led constitutional amendment process — a vital democratic tool that gives everyday Floridians the power to propose ballot initiatives. The new law imposes vague, burdensome, and punitive restrictions on the constitutional amendment process that threaten to chill core political speech and discourage civic participation.

These provisions are not only unnecessary—they are dangerous and anti-democratic. It violates the First Amendment rights to free speech and association, and it undermines the very foundation of participatory democracy in Florida. They threaten to shut down citizen-led movements before they begin by creating an environment of fear, confusion, and financial risk for those who dare to engage in direct democracy. HB 1205 drastically shortens the time to return signed petitions, imposes harsh fines for honest mistakes, and threatens volunteers with criminal penalties.

“This law is a calculated, cowardly attempt by out-of-touch politicians to rewrite the rules — not to serve the people, but to protect their own power,” said **Mitch Emerson, Campaign Manager of Florida Decides Healthcare**. “It’s not reform — it’s repression. We are filing this lawsuit because we refuse to let them silence the people of Florida. We believe in democracy, and we believe that when politicians fail to act, the



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people have the right to step in. Floridians are ready to vote for Medicaid expansion—and we intend to make sure they get that chance.”

“Today, we are standing up to an outrageous attack on democracy by filing a lawsuit to block House Bill 1205 — a law that turns Florida’s citizen-led amendment process into a bureaucratic nightmare,” said **Holly Bullard, FDH Co-Chair**. “It’s a deliberate effort to bury grassroots efforts under red tape and fear. This is not about party—majorities of Republicans, Independents and Democrats in Florida support protecting the ballot initiative process and also expanding Medicaid, as forty other states have done. Today, we stand in solidarity with Floridians from Pensacola to Little Havana to protect the citizen-led amendment process, as enshrined in the Florida constitution.”

“HB 1205 is a regulatory gauntlet—the latest in a long history of sweeping, unnecessary measures aimed at dismantling Florida’s constitutionally protected, citizen-led initiative process. It imposes untenable deadlines, exorbitant fines, unfair restrictions, and confusing rules that make it harder for everyday Floridians to engage in direct democracy,” said **Matletha Bennette, Senior Staff Attorney at SPLC**. “SPLC will continue to work with our partners to push back against this law that punishes good-faith efforts and creates a bureaucratic nightmare that chills free speech and civic participation.”

“Governor DeSantis and the Florida legislature want to steal power from the people of Florida so they can keep it for themselves,” said **Emma Olson Sharkey, Partner at Elias Law Group**. “For decades, civic-minded Floridians have done the hard work of collecting signatures and generating popular support for constitutional amendments. Rather than celebrate the virtues of direct democracy, the Governor and the legislature appear to be threatened by it. Unfortunately, this new law is just the latest chapter in a nationwide effort to undermine direct democracy and hinder the ability of everyday people to have a real impact on the policy-making process. Elias Law Group is proud to stand alongside Florida Decides Healthcare and the Southern Poverty Law Center to challenge this unconstitutional power grab and defend Floridians’ right to make their voice heard through direct democracy.”

Background: At the heart of this legal challenge is FDH’s ongoing campaign to place Medicaid expansion on the 2026 ballot — a measure that would provide affordable healthcare to more than 1.4 million Floridians. Recent polling by Mason-Dixon shows that **over 78% of Floridians — including nearly 7 in 10 Republicans — support Medicaid expansion**, demonstrating broad, bipartisan support.



Florida Decides Healthcare and its partners vow to continue fighting for the fundamental rights of all Floridians to make their voices heard — in the courts, in their communities, and at the ballot box.

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Florida Decides Healthcare is a non-profit organization dedicated to securing affordable, high-quality healthcare for over 1.4 million Floridians. With a non-partisan coalition at its core, the organization is focused on amending Florida's Constitution to expand Medicaid, championing healthcare rights for Florida's working families.

The Southern Poverty Law Center is a catalyst for racial justice in the South and beyond, working in partnership with communities to dismantle white supremacy, strengthen intersectional movements, and advance the human rights of all people. For more information, visit www.splcenter.org.