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Subject: Abortion Laws 2019

Through our search we identified at least 23 states that passed bills related to abortion this year. Below you will find a list, though it may not be comprehensive, and some additional resources. I searched on Statenet and listed enacted bills that included the word “abortion” except for appropriation bills. I noted a few laws that are undergoing lawsuits, though there may be others.

Please note: NCSL provides links to other websites for information purposes only. Providing these links does not indicate NCSL’s support or endorsement of the site.

State Examples

- **Alabama** [HB 314](#) (enacted May 2019)
 - Makes abortion and attempted abortion felony offenses, except in cases where abortion is necessary to prevent a serious health risk to the mother. There is no specific exception for pregnancies resulting from rape or incest. Effective 11/15/2019.
 - [Blocked by federal judge](#).
- **Arkansas**
 - [SB 149](#) (enacted February 2019)
 - Creates the Human Life Protection Act and prohibits anyone from performing or attempting to perform an abortion. This act becomes effective on and after the certification of the Attorney General that: the U.S. Supreme Court overrules, in whole or in part, the central holding of Roe v. Wade, thereby restoring states the authority to prohibit abortion; or an amendment to the U.S. Constitution is adopted that restores states the authority to prohibit abortion. Effective 7/24/2019.
 - Exceptions include a “medical emergency” or if the pregnancy results from rape or incest.
 - [HB 1439](#) (enacted March 2019).
 - Creates the Cherish Act to prohibit abortions after 18 weeks gestation, except in a medical emergency. Effective 7/24/2019.

- [SB 341](#) (enacted March 2019)
 - Amends the Woman’s Right-to-Know Act to provide information on reversing the effects of abortion-inducing drugs. Effective 7/24/2019.
- [SB 3](#) (enacted April 2019)
 - Requires additional reporting requirements to certain physicians and healthcare facilities for abortion complications. Effective 7/24/2019.
- [SB 2](#) (enacted April 2019)
 - Creates the Down Syndrome Discrimination by Abortion Prohibition Act. Prohibits abortion because the unborn child has or may have down syndrome. Effective 7/24/2019.
- [SB 448](#) (enacted April 2019)
 - Requires physicians to have certain qualifications in order to perform abortions. Repeals the presumption of viability of a fetus at the 25th week of pregnancy and redefines viability. Effective 7/24/2019.
- [SB 278](#) (enacted April 2019)
 - Amends laws concerning abortion facilities, abortion reporting and the born-alive infant protection laws. Requires an additional acknowledgement under the Woman’s Right-to-Know Act to increase penalties and clarify penalties relating to abortion. Effective 7/24/2019.
- [HB 1453](#) (enacted April 2019)
 - Creates the Perinatal Palliative Care Information Act and requires that a woman considering an abortion after a diagnosis of lethal anomaly is presented with information on the option of perinatal palliative care. Effective 7/24/2019.
- [HB 1664](#) (enacted April 2019)
 - Established the Life Choices Lifeline Program to support childbirth as an alternative to abortion, among other things. Effective 7/24/2019.
- **Georgia** [HB 481](#) (enacted May 2019)
 - Amends the Woman’s Right to Know Act to provide for advising women seeking an abortion of the presence of a detectable human heartbeat, requires physicians performing abortions to determine the existence of a detectable human heartbeat before performing an abortion and prohibits an abortion if an unborn child has a detectable human heartbeat. Effective 1/01/2020.
 - Exceptions include when a physician determines, in reasonable medical judgement, that a medical emergency exists; if the probable gestational age of the unborn child is 20 weeks or less and the pregnancy is the result of rape or incest with an official police report; or a physician determines, in reasonable medical judgement, that the pregnancy is medically futile.
 - [Temporarily blocked](#) by federal judge.
- **Idaho**
 - [SB 1049](#) (enacted March 2019)
 - Amends existing law to revise provisions regarding partial-birth abortion. Effective 7/01/2019.
 - [HB 64](#) (enacted March 2019)
 - Amends existing law to revise a definition and to revise provisions regarding abortion complication reporting. Effective 3/07/2019.
- **Illinois** [SB 25](#) (enacted June 2019)
 - Creates the Reproductive Health Act; provides that every individual has a fundamental right to make autonomous decisions about one’s own reproductive health; provides that every individual who becomes pregnant has a fundamental right to continue the pregnancy and give birth or to have an abortion. Effective 6/12/2019.
- **Indiana**
 - [SB 201](#) (enacted April 2019)
 - Includes nurses, physician assistants and pharmacists in the prohibition from being required to perform an abortion or assist or participate in procedures intended to result in an abortion if the

provider objects on ethical, moral or religious grounds (current law only applies to physicians and employees). Effective 7/01/2019.

- [HB 1211](#) (enacted April 2019)
 - Provides a person may not knowingly or intentionally perform a dismemberment abortion unless a physician reasonably believes it is necessary to prevent serious health risks to the mother. Effective 7/01/2019.

- **Kentucky**

- [SB 9](#) (enacted March 2019).
 - Requires a person who intends to perform an abortion to determine whether the unborn human has a detectable fetal heartbeat. Prohibits a person from performing an abortion after the detection of a fetal heartbeat. Effective 7/01/2019.
 - Exceptions include when a physician believes that a medical emergency exists that prevents compliance with this law; or when a physician, in reasonable medical judgement, intends to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman. There is no specific exception for pregnancies resulting from rape or incest.
 - [Temporarily blocked.](#)
- [HB 5](#) (enacted March 2019)
 - Prohibits an abortion if the pregnant woman is seeking the abortion, in whole or in part, because of an unborn child's sex, race, color, national origin, or disability, except in the case of medical emergency. Effective 7/01/2019.
- [SB 50](#) (enacted March 2019)
 - Requires a report of dispensing prescription for any drug intended to end a pregnancy. Effective 6/26/2019.

- **Louisiana**

- [SB 184](#) (enacted May 2019)
 - Prohibits the abortion of an unborn human being with a detectable heartbeat. Effective 8/01/2019.
 - Exceptions include when it is a person's reasonable medical judgement that an abortion is necessary to prevent the death of a pregnant woman or to prevent a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman. There is no specific exception for pregnancies resulting from rape or incest.
 - The [ban will take effect](#) only if a federal appeals court upholds Mississippi's similar ban.
- [SB 221](#) (enacted June 2019)
 - Provides for a woman's informed consent, to provide for certain written information and oral information to be given to a woman seeking an abortion and to provide for certain information necessary to assess the qualifications of the facility and the physician who will perform the abortion. Effective 6/11/2019.
- [SB 238](#) (enacted June 2019)
 - Provides for abortion clinic employees to be mandatory reporters of human trafficking and certain sexual based crimes to law enforcement. Effective 8/01/2019.
- [HB 133](#) (enacted June 2019)
 - Revises the definition of abortion in the Outpatient Abortion Facility Licensing Law. Effective 8/01/2019.
- [HB 484](#) (enacted June 2019)
 - To provide requirements relative to medical records of women who get abortions, to establish duties of certain employees of abortion facilities relative to such records, and to provide

conditions and requirements for obtaining and maintaining an abortion facility license. Effective 6/22/2019.

- **Maine** [HB 922](#) (enacted June 2019)
 - Authorizes certain health care professionals to perform abortions. Effective 9/19/2019.
- **Mississippi** [SB 2116](#) (enacted March 2019)
 - Prohibits an abortion of an unborn human individual with a detectable fetal heartbeat except to prevent the death of the pregnant woman or to prevent a serious health risk to the woman. Effective 7/01/2019.
 - Exceptions include when a physician believes it is necessary to prevent the death of the pregnant woman or to prevent a serious health risk of the substantial and irreversible impairment of a major bodily function of the woman. There is no specific exception for pregnancies resulting from rape or incest.
 - [Temporarily blocked](#), attorney general has appealed.
- **Missouri** [HB 126](#) (enacted May 2019)
 - Specifies an abortion shall not be performed or induced upon a woman at eight weeks gestational age or later, except in cases of medical emergency. There is no specific exception for pregnancies resulting from rape or incest. Effective 5/24/2019.
 - *Please note: the introduced bill prohibited an abortion after the detection of a fetal heartbeat but the final enacted bill's language bans abortions after 8 weeks.*
 - [Temporarily blocked](#).
- **North Dakota**
 - [HB 1336](#) (enacted March 2019)
 - Revises provisions relating to informed consent requirements before an abortion Effective 8/01/2019.
 - [HB 1546](#) (enacted April 2019)
 - Prohibits human dismemberment abortion except in the case of a medical emergency. Effective 8/01/2019.
- **Nevada** [SB 179](#) (enacted May 2019).
 - Revising provisions relating to informed consent to abortion, repealing criminal penalties on certain actions relating to the termination of pregnancy and other matters relating thereto. Effective 7/01/2019.
- **New York** [SB 240](#) (enacted January 2019)
 - Enacts the Reproductive Health Act to support comprehensive reproductive health care; revises provisions of law relating to abortion. Effective 1/22/2019.
- **Ohio** [SB 23](#) (enacted April 2019)
 - Enacts the Human Rights and Heartbeat Protection Act; provides no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman with the intent of causing or abetting the termination of the life of the unborn human individual the woman is carrying and whose fetal heartbeat has been detected. Effective 91st day after act is filed with Secretary of State.
 - Exceptions include when a physician, in reasonable medical judgement, determines the procedure is designed or intended to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman. There is no specific exception for pregnancies resulting from rape or incest.
 - [Temporarily blocked](#).
- **Oklahoma** [SB 614](#) (enacted April 2019)
 - Requires certain signage and informed consent related to abortion. Effective 11/01/2019.
- **Rhode Island** [HB 5125](#) (enacted June 2019)
 - Amends the Reproductive Privacy Act, restricting the state from interfering with an individual's decision to continue a pregnancy after fetal viability. Effective 6/19/2019.

- **South Dakota**
 - [HB 1177](#) (enacted March 2019)
 - Provides the opportunity to view a sonogram and hear a child's heartbeat prior to an abortion. Effective 7/01/2019.
 - [HB 1193](#) (enacted March 2019)
 - Creates a criminal offense and provides a criminal penalty for causing an abortion against a pregnant mother's will. Effective 7/01/2019.
 - [SB 72](#) (enacted March 2019)
 - Provides a form a physician must use to obtain consent to an abortion. Effective 1/01/2020.
 - [HB 1190](#) (enacted March 2019).
 - Provides for reporting requirements related to abortions. Effective 7/01/2019.
- **Tennessee**
 - [SB 1257](#) (enacted May 2019)
 - Enacts the Human Life Protection Act, bans abortion in the state effective upon the U.S. Constitution to allow states to prohibit abortion, creates an exception for situations where the abortion is necessary to prevent death or serious health risk to the woman, prohibits prosecution of a woman upon whom an abortion is performed or attempted. There is no specific exception for pregnancies resulting from rape or incest.
 - [HB 574](#) (enacted May 2019)
 - Changes the age that requires a physician to report suspected sexual abuse of a minor seeking an abortion. Effective 7/01/2019.
- **Texas**
 - [SB 24](#) (enacted June 2019)
 - Revises provisions related to required informational materials and certain other information for a pregnant woman before an abortion. Effective 9/01/2019.
 - [HB 16](#) (enacted June 2019)
 - Relates to enforcement of the rights of a living child born after an abortion. Effective 9/01/2019.
- **Utah**
 - [HB 166](#) (enacted March 2019)
 - Requires a pregnant woman be provided certain information before receiving an abortion when a prenatal screening or test indicates the unborn child has or may have Down Syndrome. Effective 5/14/2019.
 - [HB 136](#) (enacted March 2019).
 - Prohibits an abortion after the unborn child reaches 18 weeks gestational age. Effective 5/14/2019.
 - Exceptions include if the unborn child is not viable, if the abortion is necessary to avert the death of the pregnant woman or to avert a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman, if two physicians who practice maternal fetal medicine concur the fetus has a defect that is uniformly diagnosable and lethal or has a severe brain abnormality that is uniformly diagnosable, or if the pregnancy is a result of rape or incest.
 - The chief prosecutor received a federal order that the state [does not have to enforce the law](#) while a court challenge plays out.
- **Vermont** [HB 57](#) (enacted June 2019)
 - Relates to preserving the right to abortion; prohibits public entities from interfering with or restricting the right of an individual to terminate the individual's pregnancy. Effective 6/10/2019.
- **Wyoming** [HB 103](#) (enacted March 2019).
 - Establishes additional requirements for abortion, provides for public report of abortion statistics. Effective 7/01/2019.

Additional Resources

- National Right to Life has a [State Legislative Center](#).
- The Guttmacher Institute provides [fact sheets](#) about abortion in each state.

Please note these organizations advocate on this issue and NCSL does not support either side. NCSL provides links to these resources for informational purposes only.