

Herbert weighs signing strict abortion ban, says ACLU lawsuit not a factor

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SALT LAKE CITY (AP) — Utah lawmakers ended their annual legislative session Thursday after scaling back a voter-approved Medicaid expansion, passing a long-awaited update to the state's hate crimes law and approving an abortion measure that could be among the strictest in the country.

Despite a threat of lawsuit by the ACLU, Gov. Gary Herbert said he hadn't yet decided whether to sign the measure banning most abortions after 18 weeks, a bill sponsored by Rep. Cheryl Acton, R-West Jordan. Abortion Amendments, designated HB 136S01, passed the Utah House on Feb. 26, with all Southern Utah representatives voting in favor of the bill. It passed the Senate on Wednesday, once again with all Southern Utah senators voting in favor. Herbert said he's not worried about the cost of a lawsuit, which has been estimated at some \$2 million.

"I'm not going to put off by the fact that it's going to cost us some money," he told The Associated Press. "Some laws are worth defending and some fights are worth having." Herbert said he's against abortion generally but says he's weighing whether recent scientific advancements warrant re-considering at what point a fetus should be considered viable and abortion considered illegal.

The bill comes as abortion opponents across the country are emboldened by President Donald Trump's appointment of conservative U.S. Supreme Court justices.

Arkansas lawmakers also passed an 18-week ban Wednesday, and several other state legislatures are advancing proposals to ban abortion earlier in a woman's pregnancy.

Herbert said he hasn't thought about whether Utah should be a national test case as he considers whether to sign the ban. He has 20 days to make a decision.

The American Civil Liberties Union of Utah has already promised to sue if Herbert signs the measure.

Lawmakers also passed another proposal banning abortions solely because the fetus has been diagnosed with Down syndrome, but it would only go into effect if courts uphold a similar ban elsewhere.