

## Early Abortion Laws: Which States Have Passed Them, and How Can You Help Those Affected?

*Here's your guide to early abortion bans by state, plus where to donate and what to do if you need access.*

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The 1973 Supreme Court decision [Roe v. Wade](#) held that abortion should be legal “[prior to the viability of the fetus](#).” This decision meant that until a fetus can survive outside of the womb, a pregnancy could be terminated, and a fetus becomes viable around [23 or 24 weeks](#). Over the past few months, however, state legislatures across the country have revamped attempts to overturn this decision and ban abortion long before fetal viability.

Louisiana — the most recent state to pass an abortion ban — passed a bill effectively [banning abortion after six weeks](#). The bill is terrifying in its breadth, and yet it is unfortunately not an anomaly. So far, Louisiana is only one of [nine states](#) to pass bills restricting abortion access. The thing is, abortion bans are nothing new. The first bill of its kind was introduced in the [2011 Ohio legislature](#), and although it didn't pass, a recent Guttmacher Institute report showed [more than two dozen abortion bills](#) are currently under consideration in state legislatures.

Since the appointment of conservative Supreme Court Judge [Brett Kavanaugh](#), however, abortion ban bills have rapidly [gained traction](#). With a conservative [majority in the court](#), it's the opinion of many that the goal of Republican legislators is to get one of the abortion ban bills all the way to the Supreme Court and to ultimately overturn *Roe v. Wade*.

With nine states having passed abortion bans and [similar bills pending](#) in Texas, abortion access is only growing more stigmatized. In fact, [90 percent of counties](#) in the U.S. have no abortion provider and six states have [only one abortion clinic remaining](#). Each new law restricting abortion is unique and will restrict access in its own, specific ways. Additionally, some of the laws are slated to take effect as soon as July while others won't take effect until 2020. So what do you need to know about the abortion bans in each state?

### What You Need to Know About the Abortion Bans

#### Alabama

Of the abortion bans passed thus far, Alabama's is by far the most restrictive. Under current Alabama law, abortion is legal until the [20th week](#) of a person's pregnancy, with the exceptions of cases of life or health endangerment.

Under [the new law](#):

- Abortion at any stage of pregnancy is illegal.
- While pregnant people who have abortions would not be prosecuted, doctors who perform the procedure could be subject to up to 99 years in prison.
- There is no exception for rape or incest.
- The only exception is when the pregnant person's health is at “serious” risk.

Alabama's law will not go into effect [until January 2020](#). Meanwhile, [the ACLU](#) has filed a lawsuit on behalf of Alabama's abortion clinics against the state of Alabama.

#### Arkansas

[Current Arkansas law](#) allows for abortions to be performed up to 20 weeks into a pregnancy and allows exceptions for rape and incest.

Under the [new law](#):

- Abortions after 18 weeks are banned.
- Exceptions would be made for rape, incest, and medical emergencies.

As of February of this year, the state also has a “[trigger law](#),” meaning that if Roe v. Wade was to be overturned, all abortion would be illegal even in cases of rape and incest. The law has yet to go into effect. Meanwhile, the ACLU has [vowed to sue](#).

### Georgia

Under [current Georgia law](#), abortion is legal until the 20th week of pregnancy and allows exceptions if the pregnant person’s health is in danger.

Under the [new law](#):

- As early as six weeks into a pregnancy, abortion could be banned.
- [Exceptions may be made](#) in the case of rape, incest, or medical emergencies.

Unless this law is blocked in court, the law is slated to [go into effect in January 2020](#).

### Indiana

Under [current Indiana law](#), abortion is legal until the 20th week of pregnancy.

Under the [two new laws](#):

- Dilation and evacuation abortions are prohibited ([According to Planned Parenthood], (<https://www.plannedparenthood.org/learn/abortion/in-clinic-abortion-procedures>) this procedure is common generally after 16 weeks of pregnancy and one in which the doctor “uses suction and medical tools to empty your uterus).”
- The only exception would be in the case of a medical emergency.
- The second bill would allow medical professionals to refuse to perform abortions.

The bill will [take effect](#) on July 1 unless blocked by a pending ACLU lawsuit.

### Kentucky

Under [current law](#), abortion is legal until the 20th week of pregnancy and allows exceptions if the pregnant person’s health is in danger.

Under [the new law](#):

- Abortion would be banned as early as six weeks into a pregnancy.
- The law would make performing an abortion a felony, punishable by [up to five years in prison](#) for a health provider.
- No exceptions would be made in cases of rape or incest.
- Exceptions allowed only if the pregnant person’s life is in danger.
- Contains a “trigger” law meaning that if Roe v. Wade is overturned, a state-wide abortion ban would take effect. In May, a federal judge [struck down](#) this law as unconstitutional. However, the governor has vowed to appeal.

### Louisiana

Under [current law](#), abortion is legal until the 20th week of pregnancy and allows exceptions if the pregnant person’s health is in danger.

Under [the new law](#):

- Abortion would be banned as early as six weeks into a pregnancy.
- No exceptions would be made in cases of rape or incest
- Exceptions allowed only if the pregnant person’s life is in danger.

According to [ABC News](#), the law is expected to be “immediately challenged.”

### Mississippi

[Under current law](#), abortion is permitted up until 20 weeks. Exceptions are made in the case of fetal abnormality and if the pregnant person's health is in danger.

Under [the new law](#):

- Abortion would be banned as early as six weeks into a pregnancy.
- There are [no exceptions](#) for cases of rape or incest.
- The only exception would be for medical emergencies.

The bill was [temporarily struck down](#) in May as unconstitutional after a lawsuit by the Jackson Women's Health Organization, Mississippi's only abortion clinic

## Missouri

[Under current law](#), abortion is legal up until 22 weeks after a person's last period. Currently, though, Planned Parenthood of St. Louis, the last remaining abortion provider in the state, is embroiled in a legal fight with the Missouri Department of Health and Senior Services. In May, the health department decided not to renew Planned Parenthood's license to perform abortions due to claims of legal and health code violations. While a judge ruled that the clinic may temporarily continue to perform abortions, a final decision is still forthcoming. If the health department declines to renew this license, Missouri will become the [first state](#) since the passage of Roe v. Wade without an abortion clinic.

Under the [new law](#):

- Missouri's abortion ban would make it a Class B felony to have an abortion performed past eight weeks.
- There are no exceptions for cases of rape or incest.
- The only exception to the felony charge would be for medical emergencies.
- The bill contains a severability clause which means that even if part of the bill is struck down, the remaining parts of the bill will stand.
- The bill contains [provisions](#) to ensure that if the eight-week ban is struck down a 14-week ban will fall into place. If the 14-week ban is overturned, it will default to an 18-week ban.
- Contains a "trigger" law meaning that if Roe v. Wade is overturned, a state-wide abortion ban would take effect.

Missouri's law will not go into effect until August 28, 2019. Until then, the [ACLU of Missouri](#) has promised "to pursue all options to keep this measure from going into effect."

## Ohio

[Current Ohio law](#) allows for pregnant people to obtain abortions up to 20 weeks into pregnancy. Exceptions are made if the pregnant person's health is in danger.

Under the [new law](#):

- Abortion would be banned as early as six weeks into a pregnancy.
- [No exceptions](#) would be made in cases of rape or incest.
- The only exception would be for medical emergencies.
- Doctors who perform abortions after six weeks would [face a fifth-degree felony charge](#).

The ACLU of Ohio, Planned Parenthood, and other groups have [filed a lawsuit](#). The law will go into effect on July 10 unless blocked by the federal courts.

## Utah

Under [current Utah law](#), abortion is legal until viability and makes exceptions for late-term abortions in cases of rape, incest, or fetal abnormality.

Under [the new law](#):

- Abortions after 18 weeks are banned.
- Criminal penalties will be enforced for doctors who perform abortions past 18 weeks.

The ACLU of Utah and Planned Parenthood Association of Utah [filed a federal lawsuit](#) against the law and a federal judge has barred it from being enforced until the case makes its way through the courts.

### How to Donate to States With Abortion Bans

As abortion access grows more restricted in the eight states directly affected by abortion bans, abortion funds are working to ensure that pregnant people have access to the procedures they need. The [National Network of Abortion Funds](#) (NNAF) is a network of state organizations that have been working to provide transportation, childcare, housing, translation, and doula services for pregnant people since 1993. You [can donate](#) to the national organization or directly to abortion funds in any of the eight states facing abortion bans.

- **Alabama:** [Yellowhammer Fund](#) provides funding for pregnant people seeking abortions from any of Alabama's three abortion clinics.
- **Georgia:** [Access Reproductive Care-Southeast](#) works across six states to provide funding for people seeking reproductive healthcare. The organization also engages in programs to educate and empower communities in the South to destigmatize reproductive healthcare.
- **Indiana:** [Hoosier Abortion Fund](#) helps pregnant people access abortion and provides funding for transportation, lodging, and other expenses.
- **Kentucky:** The [A Fund](#) has been helping people access abortion for 25 years. Last year, the organization helped over 600 people obtain abortions.
- **Louisiana:** The [New Orleans Abortion Fund](#) offers funding for people seeking abortions from either of Louisiana's two abortion clinics.
- **Mississippi:** [Mississippi Freedom Fund](#) offers financial assistance to people seeking abortions. They also provide free emergency contraception and community based comprehensive sex education across the state of Mississippi.
- **Missouri:** [Gateway Women's Access Fund](#) is based in St. Louis and provides abortion funding for Missourians.
- **Ohio:** [Women Have Options](#) has been providing abortion funding, transportation, and lodging for pregnant people since 1992.
- **Utah:** There is no abortion fund in the state of Utah. However, Planned Parenthood of Utah has created an organization called [The Birds and the Beehive](#). This community of reproductive rights activists lobbies in the Capitol, writes letters to legislators, and fights to destigmatize abortion.