

Laws Prohibiting Abortion After Unborn Child Has a Detectable Heartbeat				
Arkansas	Ark Code Ann. § 20-16-1301 <i>et seq.</i>	<i>Edwards v. Beck</i> , 8 F.Supp.3d 1091 (E.D. Ark), <i>aff'd</i> 786 F.3d 1113 (8th Cir. 2015)	Eighth Circuit Affirmed District Court Judgment Striking Down Statute, Supreme Court Denied Review	\$26K
Georgia	Geo. H.B. 481 (2019 Sess.) (enacting the “Living Infants Fairness & Equality Act”)	<i>SisterSong Women of Color Reproductive Justice Collective v. Kemp</i> , 410 F.Supp.3d 1327 (N.D. Ga. 2019)	Preliminary Injunction Entered by District Court	
Iowa	Iowa Code §§ 146C.1, 146C.2	<i>Planned Parenthood of the Heartland, Inc. v. Reynolds</i> , No. EQCE 83074 (Dist. Ct. Iowa, Jan. 22, 2019) (ruling on motion for summary judgment)	Permanently Enjoined, No Appeal	TBD
Kentucky	Ky. S.B. 9 (2019 Sess.)	<i>EMW Women’s Surgical Ctr. v. Beshear</i> , 2019 U.S. Dist. LEXIS 45251 (W. D. Ken. 2019)	Temporary Restraining Order Entered and Extended by Agreement of the Parties	
Louisiana	La. Rev. Stat. Ann. § 40:1061.1.3	None	Statute Goes Into Effect Only If A Final Judgment of the Fifth Circuit Upholds the Mississippi “Heartbeat” Bill (see discussion of Mississippi heartbeat bill below)	
Mississippi	Miss. Code Ann. § 41-41-34.1	<i>Jackson Women’s Health Organization v. Dobbs</i> , 379 F. Supp. 3d 549 (S. D. Miss. 2019), <i>aff'd</i> , 951 F.3d 246 (5 <sup>th</sup> Cir. 2020)	Fifth Circuit Affirmed District Court Preliminary Injunction	
Missouri	Mo. Ann. Stat. § 188.056	<i>Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. v. Parson</i> , 389 F.Supp.3d 631 (W.D. Mo. 2019)	Preliminary Injunction Entered by District Court, Appeal Pending, No. 19-2882 (8 <sup>th</sup> Cir.)	
North Dakota	N.D. Cent. Code, § 14-02.1-05.2	<i>MKB Management Corp. v. Burdick</i> , 16 F.Supp.3d 1059 (D. N.D. 2014), <i>aff'd sub nom. MKB Management Corp. v. Stenehjem</i> , 795 F.3d 768 (8th Cir. 2015)	Eighth Circuit Affirmed District Court Judgment Striking Down Statute, Supreme Court Denied Review	\$245K
Ohio	Ohio Rev. Code Ann. § 2919.195	<i>Preterm-Cleveland v. Yost</i> , 394 F.Supp.3d 796 (S.D. Ohio 2019)	Preliminary Injunction Entered by District Court	

Tennessee	Tenn. Code Ann. §§ 39-15-216, 39-15-217	<i>Memphis Center for Reproductive Health v. Slatery</i> , No. 3:20-cv-00501 (M. D. Tenn. July 24, 2020), 2020 US Dist. LEXIS 131312, <i>order stayed</i> , 2020 US App. LEXIS 36780 (Nov. 20, 2020) (6 <sup>th</sup> Cir.)	Preliminary Injunction (based on vagueness) Entered by District Court, Injunction Stayed by Sixth Circuit	
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Laws Banning Abortion at Twenty-Weeks Post-Fertilization				
Alabama	Ala. Code § 26-23B-1 <i>et seq.</i>		Not Challenged	
Arkansas	Ark. Code Ann. § 20-16-1401 <i>et seq.</i>		Not Challenged	
Georgia	Georgia H.B. 954 (2011-2012 Sess.), § 1 (legislative findings), § 2 (amending Geo. Code Ann. §§16-12-140 and 16-12-141), and § 3 (adding § 31-9B-1 <i>et seq.</i> )	<i>Lathrop v. Deal</i> , 801 S.E. 867 (Ga.2017)	State Constitutional Challenge Dismissed On Procedural Grounds (sovereign immunity)	
Idaho	Idaho Code § 18-501 <i>et seq.</i>	<i>McCormack v. Hiedeman</i> , 900 F.Supp.2d 1128 (D. Idaho 2013), <i>aff'd sub nom. McCormack v. Herzog</i> , 788 F.3d 1017 (9 <sup>th</sup> Cir. 2015)	Ninth Circuit Affirmed District Court Judgment Striking Down Statute As It Applied to Pre-Viability Abortions	
Indiana	Ind. Code Ann. §§ 16-34-1-9, 16-34-2-1(a)(3)		Not Challenged	
Kansas	Kan. Stat. Ann. § 65-6722 <i>et seq.</i>		Not Challenged	
Kentucky	Ky. Rev. Stat. § 311.782		Not Challenged	
Louisiana	La. Rev. Stat. § 40:1061.1		Not Challenged	
Nebraska	Neb. Rev. Stat. § 28-3,106		Not Challenged	

North Dakota	N.D. Cent. Code, § 14-02.1-05.3		Not Challenged
Ohio	Ohio Rev. Code § 2919.201		Not Challenged
Oklahoma	Okla. Rev. Stat. Ann. tit. 63, § 738.6 <i>et seq.</i>		Not Challenged
South Carolina	S.C. Code Ann. § 44-41-410 <i>et seq.</i>		Not Challenged
South Dakota	S.D. Codified Laws § 34-23A-67 <i>et seq.</i>		Not Challenged
Texas	Tex. Health & Safety Code § 171.041 <i>et seq.</i>		Not Challenged
West Virginia	W. Va. Code § 16-2M-1 <i>et seq.</i>		Not Challenged
Wisconsin	Wis. Rev. Stat. § 253.107		Not Challenged

Laws Banning Abortion at Twenty Weeks Gestational Age (measured by LMP)			
Arizona	Ariz. Rev. Stat. Ann. § 36-2159	<i>Isaacson v. Horne</i> , 716 F.3d 1213 (9 <sup>th</sup> Cir. 2013)	Ninth Circuit Struck Down Statute, Reversing District Court Judgment Upholding Statute
Mississippi	Miss. Code Ann. § 41-41-131 <i>et seq.</i>		Not Challenged

Other Laws Banning Abortion at Twenty Weeks			
Missouri	Mo. Ann. Stat. § 188.375	<i>Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. v. Parson</i> , 389 F. Supp. 3d 631 (W. D. Mo. 2019)	Preliminary Injunction Entered by District Court as to Pre-Viability Abortions, Appeal Pending, No. 19-2882 (8 <sup>th</sup> Cir.)
North Carolina	N.C. Gen. Stat. § 14-45.1	<i>Bryant v. Woodall</i> , 363 F. Supp. 3d 611 (M. D. N.C. 2019), <i>judgment entered following stay of enforcement</i> , No. 1:16-cv-1368-WO-LPA (M.D. N.C. May 24, 2019)	Permanent Injunction Entered by District as to Pre-Viability Abortions, Appeal Pending, No. 19-1685 (4 <sup>th</sup> Cir.)
Utah	Utah Code Ann. § 76-7-302 (subsequently repealed)	<i>Jane L. v. Bangerter</i> , 102 F.3d 1112 (10 <sup>th</sup> Cir. 1996)	Tenth Circuit Struck Down Statute, Certiorari Denied

Laws Banning Abortion at Specific Stage of Pregnancy (other than twenty-week bans)			
Arkansas	Ark. Code. Ann. § 20-16-2004 (18 Weeks)	<i>Little Rock Family Planning Services v. Rutledge</i> , 397 F.Supp.3d 1213 (E.D. Ark. 2019)	Preliminary Injunction Entered by District Court, Appeal Pending, No. 19-2690 (8 <sup>th</sup> Cir.)
Mississippi	Miss. Code Ann. § 41-41-191 (15 Weeks)	<i>Jackson Women's Health v. Currier</i> , 349 F. Supp. 3d 536 (S. D. Miss. 2018), <i>aff'd sub nom. Jackson Women's Health Center v. Dobbs</i> , 945 F.3d 265 (5 <sup>th</sup> Cir. 2019)	Fifth Circuit Affirmed District Court's Permanent Injunction, Supreme Court Petition for Certiorari Pending, Docket 19-1392
Missouri	Mo. Ann. Stat. § 188.038 (banning abortion at 8, 14, 18, and 20 weeks)	<i>Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. v. Parson</i> , 389 F.Supp.3d 631 (W.D. Mo. 2019)	Preliminary Injunction Entered by District Court, Appeal Pending, No. 19-2882 (8 <sup>th</sup> Cir.)
Utah	Utah Code Ann. § 76-7-302.5 (18 Weeks)	<i>Planned Parenthood Ass'n of Utah v. Miner</i> , No. 2:19-cv-00238 (D. Utah April 18, 2019)	Preliminary Injunction Entered by District Court on Consent of Parties Pending Final Resolution of Litigation

Laws Banning Abortion Because of the Sex, Race, or Disability of the Unborn Child				
Laws Banning Only Sex-Selective Abortions				
Arkansas	Ark. Code Ann. § 20-16-1901 <i>et seq.</i>		Not Challenged	
Kansas	Kan. Stat. Ann. § 65-6726		Not Challenged	
North Carolina	N.C. Gen. Stat. § 90-21.120 <i>et seq.</i>		Not Challenged	
Oklahoma	Okla. Rev. Stat. Ann tit. 63, § 1-731.2		Not Challenged	
Pennsylvania	18 Pa. Cons. Stat. Ann. § 3204(c)		Not Challenged	
South Dakota	S.D. Codified Laws §§ 34-23A-63, 34-23A-64		Not Challenged	

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Laws Banning Abortions Because of the Disability of the Unborn Child			
Arkansas	Ark. Code Ann. § 20-16-2001 <i>et seq.</i>	<i>Little Rock Family Planning Services v. Rutledge</i> , 397 F.Supp.3d 1213 (E.D. Ark. 2019)	Preliminary Injunction Entered by District Court, Appeal Pending, No. 19-2690 (8 <sup>th</sup> Cir.)
Indiana	Ind. Code Ann. § 16-34-4-1 <i>et seq.</i>	<i>Planned Parenthood of Ind. &amp; Ky., Inc. v. Comm'r</i> , Ind. State Dep't of Health, 265 F. Supp. 3d 859 (S. D. Ind. 2017), <i>aff'd</i> , 888 F.3d 300 (7 <sup>th</sup> Cir. 2018)	Seventh Circuit Affirmed District Court Judgment Striking Down Statute, Supreme Court Denied Review
Kentucky	Ky. Rev. Stat. § 311.731	<i>EMW Women's Surgical Center, P.S.C. v. Beshear</i> , 2019 U.S. Dist. LEXIS 45251 (W. D. Ky. March 15, 2019), as extended by agreement of the parties through date of final ruling, Memorandum of Conference and Order (March 20, 2019)	Temporary Restraining Order Entered by District Court and Extended by Agreement of the Parties
Louisiana	La. Rev. Stat. Ann. § 40:1061.1.2	<i>June Medical Services. L.L.C. v. Gee</i> , 280 F.Supp.3d 849 (M. D. La. 2016)	Challenge Dismissed on Standing Grounds
Missouri	Mo. Ann. Stat. § 188.038	<i>Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. v. Parson</i> , 408 F.Supp.3d 1049 (W.D. Mo. 2019) (Supplemental Order Regarding Down Syndrome)	Preliminary Injunction Entered by District Court, Appeal Pending, No. 19-3143 (8 <sup>th</sup> Cir.)
North Dakota	N.D. Cent. Code, § 14-02.1-04.1	<i>MKB Management Corp. v. Burdick</i> , No. 1:13-cv-00071, 2013 US Dist. LEXIS 191752 (D. N.D. Sep. 9, 2013)	Plaintiff Withdrew Challenge to Statute
Ohio	Ohio Rev. Code Ann. § 2919.10	<i>Preterm-Cleveland v. Himes</i> , 294 F.Supp.3d 746 (S.D. Ohio 2018), <i>aff'd</i> , 940 F.3d 318 (6 <sup>th</sup> Cir. 2019), <i>op. vacated, pet. for reh'g en banc granted</i> , 944 F.3d 630 (6 <sup>th</sup> Cir. 2019)	Preliminary Injunction Entered by District Court, Appeal Pending, No. 18-3329 (6 <sup>th</sup> Cir.)

Law Banning Abortion Because of the Race or Sex of the Unborn Child			
Arizona	Ariz. Rev. Stat. Ann. §§ 13-3603.02, 36-2157	<i>NAACP v. Horne</i> , No. CV13-01079-PHX-DGC, 2013 WL 5519514 (D. Ariz. Oct. 3, 2013), <i>aff'd</i> , 626 F. App'x 200 (9 <sup>th</sup> Cir, 2015)	Challenge Dismissed on Standing Grounds

Law Banning Abortion Throughout Pregnancy (suicidal ideation exception)			
Alabama	Ala. Code § 26-23H-1 <i>et seq.</i>	<i>Robinson v. Marshall</i> , 415 F.Supp.3d 1053 (M.D. Ala. 2019)	Preliminary Injunction Entered by District Court

Laws Banning Performance of Dismemberment Abortions on Live, Unborn Children			
Alabama	Ala. Code. § 26-23G-1 <i>et seq.</i>	<i>West Alabama Women's Center. v. Miller</i> , 299 F.Supp.3d 1244 (M.D. Ala. 2017), <i>aff'd sub nom. West Alabama Women's Center v. Williamson</i> , 900 F.3d 1310 (11 <sup>th</sup> Cir. 2018)	Eleventh Circuit Affirmed District Court Judgment Striking Down Statute, Supreme Court Denied Review
Arkansas	Ark Code Ann. § 20-16-1801 <i>et seq.</i>	<i>Hopkins v. Jegley</i> , 267 F. Supp. 3d 1024 (E. D. Ark. 2017), <i>remanded</i> , 968 F.3d 912 (8 <sup>th</sup> Cir. 2020)	Eighth Circuit remanded case to District Court, which had enjoined statute, for further consideration in light of Supreme Court's decision in <i>June Medical Services</i>
Indiana	Ind. Code Ann. § 16-34-2-1(c)	<i>Bernard v. Individual Members of the Indiana Medical Licensing Board.</i> , 392 F.Supp.3d 935, 964 (S.D. Ind. 2019)	Preliminary Injunction Entered by District Court
Kansas	Kan. Stat. Ann. § 65-6743	<i>Hodes &amp; Nauser, MDS, P.A. v. Schmidt</i> , 440 P.3d 461 (Kan. 2019)	Struck Down on State Constitutional Grounds
Kentucky	Ky. Rev. Stat. § 311.787	<i>EMW Women's Surgical Ctr., P.S.C. v. Meier</i> , 373 F. Supp. 3d 807 (W.D. Ky. 2019), <i>aff'd sub nom. EMW Women's Surgical Center, P.S.C. v. Friedlander</i> , 960 F.3d 785 (6 <sup>th</sup> Cir. 2020)	Sixth Circuit Affirmed District Court Order Permanently Enjoining Statute
Louisiana	La. Rev. Stat. Ann. § 40:1061.1.1	<i>June Med. Servs. LLC v. Gee</i> , No. 16-cv-444 (M.D. La. 2017)	State Agreed Not to Enforce Statute During Pendency of Litigation
Mississippi	Miss. Code Ann. § 41-41-151 <i>et seq.</i>		Not Challenged (statute is unenforceable as a practical matter)
Nebraska	LB817 (2020 Sess.)		Not Challenged
North Dakota	N.D. Cent. Code § 14-02.1-04.2		Not Challenged (statute goes into effect only upon the overruling of <i>Roe v. Wade</i> or other action that would allow statute to be enforced)

Ohio	Ohio Rev. Code Ann. § 2919.15	<i>Planned Parenthood Southwest Ohio Region v. Yost</i> , 375 F.Supp.3d 848 (S.D. Ohio 2019)	District Court Entered Preliminary Injunction As Pre-Viability Applications of Statute
Oklahoma	Okla. Stat. tit. 63, § 1-737.7 <i>et seq.</i>	<i>Tulsa Women’s Reproductive Clinic, L.L.C. v. Hunter</i> , No. 118,292 (Okla. Nov. 4, 2019)	Order Granting Plaintiff’s Emergency Motion for a Temporary Injunction Pending Final Resolution of the Merits
Texas	Tex. Health & Safety Code § 171.151 <i>et seq.</i>	<i>Whole Woman’s Health v. Paxton</i> , 280 F. Supp. 3d 938 (W. D. Texas 2017), <i>aff’d</i> , 978 F.3d 896 (5 <sup>th</sup> Cir. 2020), <i>op. vacated, reh’g en banc ordered</i> , 2020 US App. LEXIS 34404 (Oct. 30, 2020)	Fifth Circuit Orders Rehearing En Banc Review of District Court Judgment Striking Down Statute As It Applies to Pre-Viability Abortions
West Virginia	W. Va. Code § 16-20-1		Not Challenged (statute authorizes only professional discipline)



State Supreme Courts Recognizing (or Clearly Implying) that Their State Constitution Protects a Right to Abortion that Is Separate From, and Independent of, the Federal Constitutional Right to Abortion			
Alaska		<i>Valley Hosp. Ass'n v. Mat-Su Coalition for Choice</i> , 948 P.2d 963 (Alaska 1997)	Express Right of Privacy
California		<i>Committee to Defend Reproductive Rights v. Myers</i> , 625 P.2d 779 (Cal. 1981)	Express Right of Privacy
Florida		<i>In Re T.W.</i> , 551 So.2d 1186 (Fla. 1989)	Express Right of Privacy
Iowa		<i>Planned Parenthood of the Heartland v. Reynolds</i> , 915 N.W.2d 206 (Iowa 2018)	Due Process and Equal Protection
Kansas		<i>Hodes &amp; Nauser, MDS, P.A. v. Schmidt</i> , 440 P.3d 461 (Kan. 2019)	Equal and Inalienable Natural Rights
Massachusetts		<i>Moe v. Secretary of Admin. &amp; Finance</i> , 417 N.E.2d 387 (Mass. 1981)	Implied Right of Privacy
Minnesota		<i>Women of the State of Minnesota v. Gomez</i> , 542 N.W.2d 17 (Minn. 1995)	Implied Right of Privacy
Mississippi		<i>Pro-Choice Mississippi v. Fordice</i> , 716 So.2d 645 (Miss. 1998)	Implied Right of Privacy
Montana		<i>Armstrong v. State</i> , 989 P.2d 364 (Mont. 1999)	Express Right of Privacy
New Jersey		<i>Right to Choose v. Byrne</i> , 450 A.2d 925 (N.J. 1982)	Implied Right of Privacy
New York		<i>Hope v. Perales.</i> , 634 N.E.2d 183 (N.Y. 1974)	Implied Right of Privacy (as conceded by parties)
Tennessee		<i>Planned Parenthood of Middle Tenn. v. Sundquist</i> , 38 S.W.3d 1 (Tenn. 2000)	Implied Right of Privacy (later overturned by state constitutional amendment)

Laws That Would Ban Abortion Upon the Overruling of <i>Roe v. Wade</i> (or the adoption of a federal constitutional amendment that would allow States to prohibit abortion)				
Arkansas	Ark. Code Ann. § 5-61-301 <i>et seq.</i>		None	
Idaho	Idaho Code § 18-622		None	
Kentucky	Ky. Rev. Stat. Ann. § 311.772		None	
Louisiana	La. Rev. Stat. Ann. § 40:1061		None	
Mississippi	Miss. Code Ann. § 41-41-45		probably unenforceable (see <i>Pro-Choice Mississippi v. Fordice</i> , 716 So.2d 645 (Miss. 1998) (recognizing state right to abortion))	
Missouri	Mo. Ann. Stat. § 188.017		None	
North Dakota	N.D. Cent. Code § 12.1-31.12		None	
South Dakota	S.D. Codified Laws § 22-17-5.1		None	
Tennessee	Tenn. Code Ann. § 39-15-213		None	
Utah	Utah Code Ann. § 76-7a-101 <i>et seq.</i>		None	