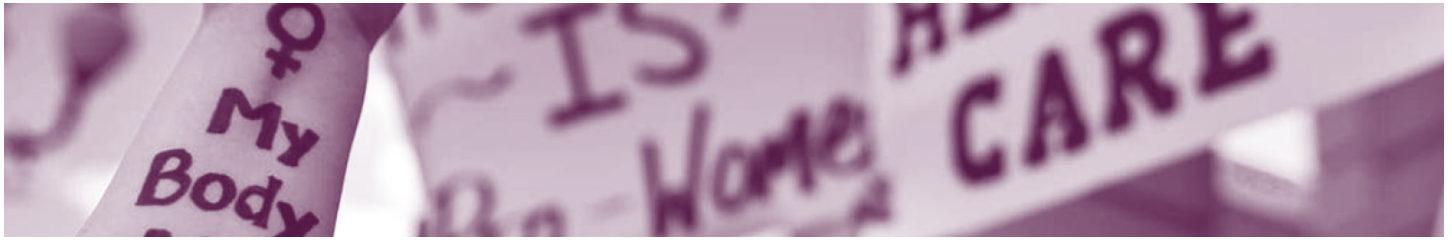


ABORTION ACCESS IN ND

AND WHAT IT COULD MEAN IN A POST-ROE AMERICA



For decades, legislators have been working overtime to destroy access to abortion — state by state, law by law. Now, with the increasing likelihood that the Supreme Court will overturn *Roe v. Wade*, our constitutional right to an abortion is on the line.

We know you have questions. The ACLU of North Dakota has answers.

WHAT IS NORTH DAKOTA'S CURRENT LAW? Abortion is currently legal in North Dakota until 20 weeks post fertilization. Still, there are many legal restrictions to abortion in the state:

- A patient must receive state-directed counseling that includes information designed to discourage abortion care and then wait 24 hours before the procedure is provided.
- The use of telemedicine to administer medication abortion is prohibited.
- A parent of a minor must be notified before an abortion is provided. Parental consent mandates cannot be waived for rape, incest, or if the person's life is in danger.

The state prohibits abortions performed for the purpose of sex selection or in response to genetic anomalies.

- Abortion providers are required to have admitting privileges at a local hospital.
- Public funding for abortion is only available if the patient's life is in danger or in cases of rape or incest.
- Private insurance policies cover abortion only in cases of life endangerment, unless individuals purchase an optional rider at an additional cost.
- Health care coverage for abortion under the Affordable Care Act is only available if the patient's life is in danger.
- Abortion is covered in insurance policies for public employees only in cases of life endangerment.

WHAT HAPPENS IF THE SUPREME COURT OVERTURNS *ROE V. WADE*? North Dakota lawmakers passed a “trigger ban” in 2007. The trigger ban is a state law designed to go into effect after the Supreme Court grants states the authority to ban abortions, which is what the leaked draft opinion suggests. This would be effective on the 30th day after the attorney general certifies to the legislative council that the Supreme Court's decision is final.

WHAT DOES THAT MEAN FOR NORTH DAKOTA? If *Roe* is overturned, abortion will become a criminal act in North Dakota. The law would make it a Class C felony for anyone to perform an abortion, unless a pregnant person performs an abortion themselves. A Class C felony is punishable by up to five years in prison and a \$10,000 fine.

This means people would have to travel out of state to for abortion care — something that's impossible for many and would disproportionately affect people of color and people with lower incomes.

WHAT ELSE COULD HAPPEN? We know that abortion opponents won't stop with overturning *Roe*. Many states have signaled an intent to apply their abortion laws outside their own state borders and politicians are already sharing plans to further criminalize abortion providers and patients. Discussions about calling special legislative sessions to pass additional restrictions have already begun. It's clear that activists and politicians won't stop until they have secured a nationwide ban on abortion. Further, the same politicians in our state and across the country will likely attack our right to get birth control and marry who we love. Our fundamental rights are under attack right now and we have to mobilize to ensure our communities are protected.

WHAT CAN I DO?

Commit to defending abortion rights and we'll be in touch with specific steps you can take. Use the QR code below to add your name today.

