

Bans on Abortion by Week

Bans on abortion at different points in pregnancy—including six weeks, 15 weeks, and 20 weeks—are blatantly unconstitutional, violating long-held U.S. Supreme Court precedent recognizing the right to abortion. Knowing this, lawmakers hostile to reproductive freedom have pushed bans on abortion at various arbitrary points in pregnancy for two key reasons: to roll back access to care and to ultimately overturn *Roe v. Wade* and the constitutional right to abortion altogether.

The strategy around these bans has historically been a point of tension within the anti-choice movement. Some groups promote such bans on abortion at arbitrary points in pregnancy to advance an incremental approach to outlawing abortion care because of the clear lack of public support for outright bans. Others disagree with the incremental approach and advocate for a total ban on abortion without exceptions.

Regardless of their approach, anti-choice activists employ the same strategies of pushing disinformation to justify their out-of-touch bans on abortion. This includes falsely claiming that scientific advancements make the standards established by *Roe* “outdated.” Anti-choice activists also often make false claims about fetal pain and may resort to fearmongering about the safety of abortion later in pregnancy in an attempt to justify banning abortion.

In December 2021, the U.S. Supreme Court heard *Dobbs v. Jackson Women’s Health Organization*, a case involving Mississippi’s 15-week abortion ban that directly challenges *Roe* and violates nearly 50 years of precedent. This pivotal case underscores the dire threats that reproductive freedom and abortion access in the United States currently face. There is no path for the Court to uphold Mississippi’s ban without overturning *Roe*. If *Roe* were to fall, bans on abortion at arbitrary points in pregnancy previously blocked by courts could go into effect, further eroding access to abortion in states across the country.



STATE MEASURES RESTRICTING REPRODUCTIVE FREEDOM**Abortion Bans as Early as 6 Weeks:**

12 STATES ban abortion as early as 6 weeks, before many people know they are pregnant: GA, ID, IA, KY, LA, MS, ND, OH, OK, SC, TN, TX.

Abortion Bans from 8-14 Weeks:

3 STATES ban abortion between 8-14 weeks: AR, MO, TN.

- Bans after 8 weeks: MO, TN.
- Bans after 10 weeks: TN.
- Bans after 12 weeks: AR, TN.
- Bans after 14 weeks: MO.

Abortion Bans from 15-18 Weeks:

6 STATES ban abortion between 15-18 weeks: AR, LA, MO, MS, TN, UT.

- Bans after 15 weeks: LA, MS, TN.
- Bans after 18 weeks: AR, MO, TN, UT.

Abortion Bans from 20-22 Weeks:

24 STATES ban abortion after 20-22 weeks: **AL, AR, AZ, GA, ID, IN, IA, KS, KY, LA, MS, MO, MT, NE, NC, ND, OH, OK, SC, SD, TN, TX, WV, WI.**

- 6 STATES ban abortion at 20 weeks: AZ, **MS**, MO, MT, NC, TN.
- 19 STATES ban abortion at 22 weeks: **AL, AR, GA, ID, IN, IA, KS, KY, LA, NE, ND, OH, OK, SC, SD, TN, TX, WV, WI.**

2021 ENACTED STATE MEASURES RESTRICTING REPRODUCTIVE FREEDOM

4 STATES enacted bans on abortion as early as 6 weeks: ID, OK, SC, TX.

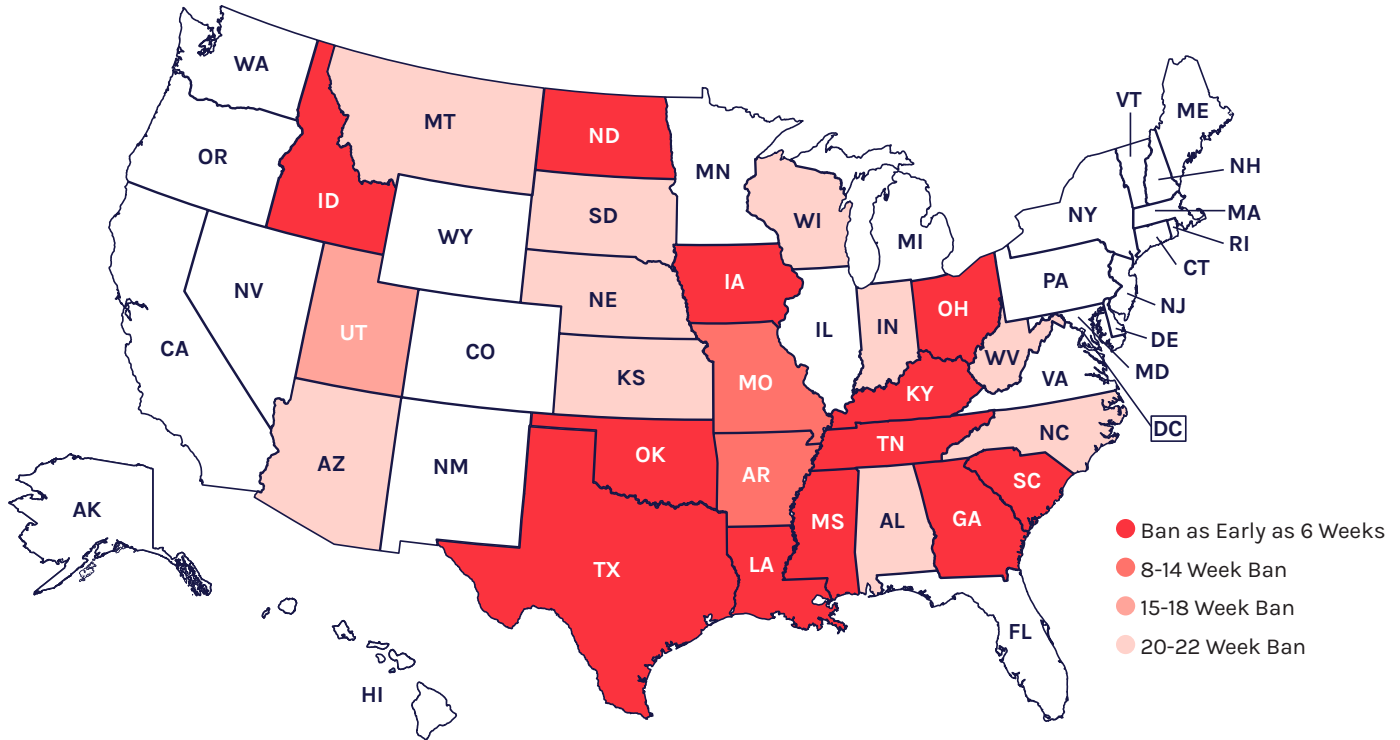
- In May 2021, Governor Greg Abbott (R-TX) signed a ban on abortion care at about 6 weeks that grants almost any person the power to sue someone for “aiding and abetting” a pregnant person seeking abortion care and be awarded \$10,000 or more for their vigilantism (SB 8).
- Courts blocked the the bans on abortion care at about 6 weeks in Oklahoma and South Dakota. The Idaho ban is not in effect, but includes trigger language making it effective 30 days following the issuance of judgment of any U.S. appellate court upholding a ban on abortion care at 6 weeks.

1 STATE enacted a ban on abortion after 22 weeks: MT.

- The law was blocked by courts.

For consistency, all weeks here are measured using LMP, or the pregnant person’s last menstrual period. Most providers use LMP to measure pregnancy, as do many states. Other states define “commencement” of pregnancy as two weeks after LMP, or post-fertilization, when conception is likely to have occurred.

► **Bold** indicates bans currently in effect. Courts have blocked the other bans, but these may go into effect if the Supreme Court overturns *Roe v. Wade* and allows states to ban abortion.



STATE	Bans as Early as 6 Weeks	8-14 Week Bans	15-18 Week Bans	20-22 Week Bans
Alabama				22
Alaska				
Arizona				20
Arkansas		12	18	22
California				
Colorado				
Connecticut				
Delaware				
D.C.				
Florida				
Georgia	6			22
Hawaii				
Idaho	6			22
Illinois				
Indiana				22
Iowa	6			22
Kansas				22
Kentucky	6			22
Louisiana	6		15	22
Maine				
Maryland				
Massachusetts				
Michigan				
Minnesota				
Mississippi	6		15	20
Missouri		8, 14	18	20

STATE	Bans as Early as 6 Weeks	8-14 Week Bans	15-18 Week Bans	20-22 Week Bans
Montana				20
Nebraska				22
Nevada				
New Hampshire				
New Jersey				
New Mexico				
New York				
North Carolina				20
North Dakota	6			22
Ohio	6			22
Oklahoma	6			22
Oregon				
Pennsylvania				
Rhode Island				
South Carolina	6			22
South Dakota				22
Tennessee	6	8, 10, 12	15,18	20,22
Texas	6			22
Utah			18	
Vermont				
Virginia				
Washington				
West Virginia				22
Wisconsin				22
Wyoming				
TOTAL	12	3	6	24

► **Bold** indicates bans currently in effect. Courts have blocked the other bans, but these may go into effect if the Supreme Court overturns *Roe v. Wade* and allows states to ban abortion.