

REPRODUCTIVE
FREEDOM FOR ALL

2025 STATE LEGISLATIVE WRAP UP



Introduction

State legislatures have always been the testing ground for abortion policies. This is even more true since the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*. 21 states have currently eliminated or restricted access to abortion care because of abortion bans, with new restrictions and bans introduced every day. Reproductive Freedom for All tracks legislation in all 50 states and D.C. In the 2025 legislative session, we tracked over 1,000 bills related to abortion, fertility care, contraception, and maternal health. We also have chapters in Arizona, California, Georgia, Michigan, and Nevada. Our state chapters engage on a variety of legislation related to reproductive freedom, and our members are often instrumental in securing legislative wins in our chapter states.

This Legislative Wrap-Up discusses emerging trends in abortion protections and restrictions, as well as the link between reproductive freedom, democracy, and voting rights. This report also provides an overview of threats to reproductive freedom. It is our hope that an awareness of emerging threats can help state legislators and allies prepare for and mobilize against similar bills introduced in their own state houses. And, since what happens in states is frequently replicated at the federal level, federal elected officials should both heed warnings as well as look to proactive state legislation as a model for what's possible.

Texas's S.B. 8 is an example of how legislation travels. This law, with its bounty provision that allowed anyone to sue an abortion provider for \$10,000, was the first law of its kind when it was enacted in 2021.

Today, many abortion bans include a similar private right of action. With 8 in 10 Americans supportive of legal abortion, anti-abortion extremists know that enacting a national abortion ban will be both incredibly unpopular and difficult to pass through Congress. Instead, these anti-abortion extremists turn to the states, trying to make abortion illegal and inaccessible in much of the country while also testing coverage restrictions and other shady tactics that can be used as backdoor abortion bans at the federal level.

At the same time, states are on the forefront of abortion protections. Every year, legislators and advocates in states supportive of reproductive freedom mobilize to enact innovative policies to protect providers, patients, healthcare data, and people who help others access abortion care. These policies, along with new abortion funding mechanisms, can be replicated across the country to begin to fill the gaps in care created by states that have banned abortion.

State legislators and allies to reproductive freedom are encouraged to use this report as inspiration. While there is a patchwork of abortion bans across the country that have dramatically changed the abortion access landscape, there is also a patchwork of state laws protecting abortion and reproductive freedom. *Every state* has more to do to fight back against attacks on abortion and ensure that reproductive freedom is a reality for all people.

Every state has more to do to ensure people can receive the care they need and that providers of abortion care are protected.



Above: volunteers in front of the Arizona state house.
Below: volunteers training in Georgia



States Supportive of Abortion Enact Additional Protections and Expand Access

In the wake of *Dobbs*, states supportive of abortion have taken impressive and dramatic steps to protect and expand access to care.

Shield Laws Remain Front and Center

A total of 22 states have some form of interstate shield protections, either through interstate shield laws or executive orders. Interstate shield laws are laws that protect abortion providers, patients, and people who help others access abortion care from being investigated or penalized in states hostile to abortion. Eight additional states protect providers who mail medication abortion across state lines. Data from this year showed that **nearly 15,000 abortions a month are provided under shield laws**, allowing people in states that have banned or severely restricted abortion to still access this lifesaving care.¹

As threats to abortion evolve, shield laws are strengthening and improving, with legislatures this year creating prescription labeling privacy protections and reciprocity protections for shield providers.

Prescription Labeling Privacy

- This year saw the first tests of shield laws as shield providers in **California and New York** faced both criminal and civil cases from states hostile to abortion.
- Both states used their shield laws to protect providers from extradition and severe civil penalties.
- The **Louisiana** Republican Attorney General's criminal case against a **New York** doctor highlights the **importance of prescription labeling privacy**, since the Attorney General was only able to target this **doctor because their name was on the prescription** for the medication.
- **Colorado, Maine, New York, and Vermont**² have since added protections to their shield laws that allow providers to use the name of their healthcare practice on prescriptions rather than their own name.
- Despite **thousands of calls from Reproductive Freedom for All members**, **Nevada's Republican Governor Joe Lombardo vetoed** a similar bill in Nevada.³

As threats to abortion evolve, shield laws are strengthening and improving, with legislatures this year creating prescription labeling privacy protections and reciprocity protections for shield providers.

¹ #WeCount report, April 2022 to June 2025, Society of Family Planning (Dec. 9, 2025) <https://societyfp.org/research/wecount/wecount-june-2025-data/>.

² S.B. 129 § 2, 75th Gen. Assemb., 1st Reg. Sess. (Colo. 2025); L.D. 538, 132nd Leg., 1st Spec. Sess. (Me. 2025); S.B. 36, 248th Leg., Reg. Sess. (N.Y. 2025); S.B. 28 § 13, 2025 Leg., Reg. Sess. (Vt. 2025).

³ A.B. 411, 83rd Leg., Reg. Sess. (Nev. 2025); Veto Message, Gov. Joe Lombardo, Assembly Bill 411 of the 83rd Legislative Session (Jun. 5, 2025) https://archive.leg.state.nv.us/Session/83rd2025/Reports/VetoMessages/AB411_83rd_VetoMessage.pdf.

California went a step further and enacted urgent protections for patients and providers, building on its existing shield framework. The new law both ensures the legality and availability of mifepristone in California and **defends providers, facilities, and patients from lawsuits** and subsequent enforcement efforts from states hostile to abortion and the federal government. Notably, this law also allows pharmacists to dispense mifepristone without the name of the prescriber or pharmacy.

Reproductive Freedom for All California co-sponsored this important legislation.⁴

Reciprocity

- This year, **Vermont became the first state** to create shield law **reciprocity**, extending their state's shield law protections to providers who provide abortion care in other states with shield laws and later travel to Vermont.⁵

Privacy Protections for Providers and Patients Gain Importance

During his first week in office, Trump pardoned a group of anti-abortion radicals convicted of crimes under the federal Freedom to Access Clinic Entrances (FACE) Act, a law that protects abortion providers and their patients from harassment and violence. Trump then instructed his Department of Justice to curtail future prosecutions under the law. These actions demonstrate the importance of protecting the privacy of abortion providers. Providers must be able to provide lifesaving care without fear for their own personal safety. One way to increase safeguards for providers is to allow them to enroll in state address confidentiality programs. This year, **Nevada** enacted a law that allows reproductive health-care providers to participate in **address confidentiality programs**.⁶

States can also strengthen existing data privacy protections or create new programs to ensure that patient and provider data is protected from states hostile to abortion, and from data brokers who sell or share data without consumer consent. **California, New Mexico and Vermont** enacted laws to expand existing **data privacy laws** to better protect reproductive healthcare data.⁷

Innovative Mechanisms for Funding of Abortion Care Emerge

Abortion bans mean that many people across the country now have to travel to access abortion care. Not only does this greatly increase the cost of procedures, it puts additional stress on clinics in states where abortion is legal. Abortion is banned or severely restricted across the South, and people of color, low income people, and young people often struggle to travel the long distances to access care.⁸ These struggles are compounded for people

⁴ A.B. 260, 2025 Leg., Reg. Sess. (Cal. 2025).

⁵ S.B. 28 § 1, 2025 Leg., Reg. Sess. (Vt. 2025).

⁶ A.B. 235, 83rd Leg., Reg. Sess. (Nev. 2025).

⁷ A.B. 45, 2025 Leg., Reg. Sess. (Cal. 2025); A.B. 82, 2025 Leg., Reg. Sess. (Cal. 2025); S.B. 57, 57th Leg., Reg. Sess. (N.M. 2025); S.B. 28 § 6, 2025 Leg., Reg. Sess. (Vt. 2025).

⁸ Guttmacher Institute Releases Data on State of Residence of US Abortion Patients Traveling for Care in 2024, Guttmacher (Jun. 24, 2025) <https://www.guttmacher.org/news-release/2025/guttmacher-institute-releases-data-state-residence-us-abortion-patients-traveling>; Latoya Hill, Samantha Artiga, Usha Ranji, Ivette Gomez & Nambi Ndugga, *What are the Implications of the Dobbs Ruling for Racial Disparities?*, Kaiser Family Foundation (Apr. 24, 2025) <https://www.kff.org/womens-health-policy/what-are-the-implications-of-the-dobbs-ruling-for-racial-disparities/>.

who either do not have insurance, or who only have Medicaid coverage in their home state, which they cannot use for care in other states.

This year, **Maryland enacted an innovative funding model** to address some of these concerns. Maryland is one of 13 states that requires health insurance plans issued on the state health exchange to provide coverage of abortion care. The Affordable Care Act requires those plans to charge all subscribers an additional dollar per person per month. This money is put in a segregated fund that can only be used for abortion care.

The cost of abortion care is generally lower than a dollar per person per month, which allowed the funds in this **segregated Affordable Care Act account to increase**. As of this year, the Maryland account has over **\$25 million dollars**.

Maryland's new law would allow this money to be used to **cover abortion care for people who are uninsured, underinsured, or cannot use their insurance** due to domestic violence or other safety concerns.⁹

This funding is available **regardless of a patient's immigration status or state of residence**, meaning people can use it if they are traveling to the state for care. This infusion of funds that can be used for procedures will free up money for abortion funds to provide more practical support, like flights and hotels for people who need to travel great distances to access abortion.

Following the federal budget which drastically cut funding for Medicaid and prevented Planned Parenthood and one independent abortion clinic from accessing Medicaid coverage, Reproductive Freedom for All partnered with Planned Parenthood at the state and federal level to advocate for additional funding.¹⁰ These federal funding cuts could force Planned Parenthood to close clinics, including clinics in states where abortion is legal. The inability to accept Medicaid could mean that low-income people lose access to this critical care, and the closures of clinics will disproportionately impact people of color or people living in maternal or reproductive health care deserts.¹¹ Several state governors stepped up to fill gaps in funding. The Democratic Governors of **California**,¹² **New York**,¹³ and **Washington**¹⁴ committed to temporarily covering the gap in federal

Call To Action

Democratic governors and legislators must step up to ensure that Planned Parenthood and independent abortion clinics have enough state funding to allow them to continue operating despite federal cuts.

⁹ H.B. 930/S.B. 848, 447th Gen. Assemb., Reg. Sess. (Md. 2025).

¹⁰ See e.g. I'm For Planned Parenthood, Planned Parenthood <https://www.plannedparenthoodaction.org/rightfully-ours/for-planned-parenthood/for-pp-partners> (last accessed Dec. 1, 2025).

¹¹ *The Harms of "Defunding" Planned Parenthood*, Planned Parenthood (Oct. 2025) https://www.plannedparenthood.org/uploads/filer_public/ab/cd/abcdeed1-3c3d-43f5-92ec-0295e46b75fb/1025-defund-impact-report-english1.pdf.

¹² Press Release, Governor Gavin Newsom, California invests over \$140 million to support Planned Parenthood health centers amid Trump's efforts to defund (Oct. 23, 2025), <https://www.gov.ca.gov/2025/10/23/california-invests-over-140-million-to-support-planned-parenthood-health-centers-amid-trumps-efforts-to-defund/>.

¹³ David Lombardo, Hochul taps \$35 million to support Planned Parenthood, The Capital Pressroom (Nov. 5, 2025), <https://capitolpressroom.org/2025/11/05/hochul-taps-35-million-to-support-planned-parenthood/>.

¹⁴ Press Release, Governor Bob Ferguson, Governor Ferguson: Washington will cover gap caused by federal attempt to defund of Planned Parenthood (Jul. 9, 2025), <https://governor.wa.gov/news/2025/governor-ferguson-washington-will-cover-gap-caused-federal-attempt-defund-planned-parenthood>.

funding for Planned Parenthood to ensure that clinics can remain open. **Massachusetts**¹⁵ and **New York**¹⁶ also provided **millions of dollars in state funding to abortion clinics** and reproductive rights organizations.

State Emergency Abortion Care Protections Receive More Attention in Light of Erosion of Federal EMTALA

After *Dobbs*, the Biden administration issued guidance confirming that the federal Emergency Medical Treatment and Active Labor Transport Act (EMTALA) required all hospitals to continue to provide abortion care when that care was necessary to stabilize patients in emergency situations. The **Trump administration rescinded this guidance**, signaling to hospitals that they could **deny abortion care to pregnant people facing medical emergencies** without fear of repercussions.

State EMTALA Laws and Guidance

- **Colorado** and **Connecticut** enacted laws that require all hospitals to provide **emergency abortion care**.¹⁷ Both laws give the state the power to investigate facilities that violate this law,¹⁸ and the Colorado law allows the state to impose monetary penalties for violations.
- **California** already has a state version of EMTALA. This year, Democratic Attorney General Rob Bonta announced a statewide survey to determine if **hospitals are providing emergency abortion care** and complying with the law.¹⁹
- One of the biggest barriers to access in states that otherwise protect access to abortion are religious hospitals that refuse to provide abortion care. State EMTALAs that allow for state enforcement can provide a mechanism to address these refusals of care. This year, for example, **California** Democratic Attorney General Bonta brought a lawsuit against a **Catholic hospital that refused to provide emergency abortion care**.²⁰



Call To Action

Laws that allow for state enforcement of EMTALA are stronger than laws that require patients to sue to enforce their own rights. The people who most benefit from state level EMTALAs are often low-income people, who would struggle to afford a lawyer and bring a case. The **ideal EMTALA law would allow for both private and state enforcement**, to ensure that everyone's rights are protected.

¹⁵ Press Release, Governor Maura Healey, Healey-Driscoll Administration Awards \$1.8 Million to Improve Access to Reproductive Health Care (Jan. 7, 2025), <https://www.mass.gov/news/healey-driscoll-administration-awards-18-million-to-improve-access-to-reproductive-health-care>.

¹⁶ Press Release, Governor Kathy Hochul, Safe, Legal and Accessible: Governor Hochul Announces New Funding for Abortion Health Care Services Statewide (Jun. 24, 2025), <https://www.governor.ny.gov/news/safe-legal-and-accessible-governor-hochul-announces-new-funding-abortion-health-care-services>.

¹⁷ S.B. 130, 75th Gen. Assemb., 1st Reg. Sess. (Colo. 2025); H.B. 7287, 2025 Leg., Reg. Sess. (Conn. 2025).

¹⁸ S.B. 130, 75th Gen. Assemb., 1st Reg. Sess. (Colo. 2025).

¹⁹ Press Release, Attorney General Rob Bonta, Attorney General Bonta Launches Statewide Survey to Ensure Hospitals Follow Emergency Reproductive Healthcare Laws (Jul. 23, 2025), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-launches-statewide-survey-ensure-hospitals-follow>.

²⁰ Press Release, Attorney General Rob Bonta, Attorney General Bonta Files Motion for Preliminary Injunction to Continue Ensuring Emergency Abortion Care in Humboldt County (Oct. 10, 2025), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-files-motion-preliminary-injunction-continue-ensuring>.

- **Michigan** Democratic Governor Gretchen Whitmer issued **guidance** reminding hospitals that they were required to provide services necessary for reproductive health.²¹
- **Washington** amended their state EMTALA to make it more explicit when hospitals need to provide emergency stabilizing care and outlined specific pregnancy-related conditions that are included in the definition of an emergency medical condition.²²

Expanding and Protecting Access to Fertility Care

Last year, the **Alabama** state Supreme Court held that the state's Wrongful Death of a Minor Act applied to embryos, meaning in vitro fertilization (IVF) providers could face wrongful death suits if embryos were disposed of or destroyed, even unintentionally. The threat of these lawsuits prompted major fertility clinics in the state to stop providing IVF care. Care did not resume until the legislature enacted a law that gave IVF providers immunity from civil and criminal suits.

Alabama is not the only state with a law that states that fetuses and embryos are children. There are 16 other states that have a type of fetal personhood law.²³ This year, likely in anticipation that their broad fetal personhood law could be used to block IVF care in the state, **Georgia** enacted a law to establish that nothing in their state law can be interpreted to prohibit people from accessing in vitro fertilization care.²⁴ But the law **stopped short of stating that embryos created as part of IVF are not legally people.**



Call To Action

For the many other states with fetal and embryo personhood laws, it is not enough to control the interpretation of these laws. The only way to ensure that people can access the full spectrum of fertility care is to **repeal laws that rely on dangerous fetal and embryo personhood ideology.**

Fertility Coverage

- This year, **California** enacted a pair of bills to **extend coverage for fertility and infertility care**, including IVF, to small group and individual plans starting in 2027.²⁵
- Coverage for large group plans was achieved last legislative session following the enactment of S.B. 729. Notably, coverage in **California is inclusive of LGBTQIA+ people and single parents by choice.**
- California's law, which is inclusive and covers the full spectrum of fertility care, can serve as a model for other states. **Georgia** and **Nevada** both enacted laws that provide **coverage for fertility preservation services** like egg and sperm freezing.

²¹ Press Release, Governor Gretchen Whitmer, Gov. Whitmer Takes Action to Protect Full Access to Reproductive Health Care in Michigan, LARA Instructs Michigan Hospitals to Provide Care (Jun. 24, 2025), <https://www.michigan.gov/whitmer/news/press-releases/2025/06/24/whitmer-takes-action-to-protect-access-to-reproductive-care-lara-instructs-hospitals-to-provide-care>.

²² S.B. 5557, 69th Leg., Reg. Sess. (Wash. 2025).

²³ Legal Landscape, Pregnancy Justice, <https://www.pregnancyjusticeus.org/legal-landscape/> (last accessed Nov. 25, 2025).

²⁴ H.B. 428, 158th Gen. Assemb., Reg. Sess. (Ga. 2025).

²⁵ A.B. 224/S.B. 62, 2025 Leg., Reg. Sess. (Cal. 2025).

- But these benefits are **limited to people with specific conditions**. In Georgia, only people with cancer, sickle cell disease, or lupus can access this coverage.²⁶ Nevada's coverage is even more limited, and can only be used by people with cancer.²⁷
- The **Nevada** legislature passed a far more expansive fertility care coverage bill that was inclusive of LGBTQIA+ people and single parents by choice. This bill also would have made Nevada the first state in the country to provide Medicaid coverage of fertility care.²⁸ It was **vetoed by Nevada's Republican Governor Joe Lombardo**.²⁹

Call To Action

States should ensure that any fertility care coverage they enact is inclusive of LGBTQIA+ people and single parents by choice. Fertility preservation coverage should not be limited to people with specific conditions and include coverage for elective fertility preservation. Finally, states should begin to expand their existing fertility care coverage to include Medicaid recipients.

²⁶ H.B. 94, 158th Gen. Assemb., Reg. Sess. (Ga. 2025).

²⁷ A.B. 428, 83rd Leg., Reg. Sess. (Nev. 2025).

²⁸ S.B. 217, 83rd Leg., Reg. Sess. (Nev. 2025).

²⁹ Veto Message, Gov. Joe Lombardo, Senate Bill 217 of the 83rd Legislative Session (Jun. 12, 2025) https://archive.leg.state.nv.us/Session/83rd2025/Reports/VetoMessages/SB217_83rd_VetoMessage.pdf.



Democracy and Reproductive Freedom

Elections across the country demonstrate that **abortion is a winning issue**. Polling consistently reveals that 8 in 10 Americans support the legal right to abortion. Anti-abortion politicians know this too. They know that their anti-abortion majorities in state houses are the result of voter suppression and partisan gerrymandering. This legislative session showed, once again, how the **fight for reproductive freedom and the fight for a fair democracy are intertwined**.

Constitutional Amendments to Protect Abortion and Roll Back Restrictions Continue to Advance

Ballot initiatives since *Dobbs* have proved the popularity of abortion. In general, when abortion is on the ballot, it wins. Citizen-initiated state constitutional amendments are a vital way to protect the right to reproductive freedom when gerrymandered legislatures fail to do so, though there are few remaining states with the ability to do a citizen-initiated ballot measure.

Reproductive Freedom on the Ballot

- The **Virginia** legislature approved a measure to create a **fundamental right to reproductive freedom**.³⁰ This amendment passed the legislature **again in January**, and will be **on the ballot in 2026**.³¹
- The right to reproductive freedom will also be on the ballot in **Nevada in 2026**. Voters approved the right to abortion in 2024, but constitutional amendments in Nevada must be approved by voters in two elections before becoming part of the constitution.

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Ballot initiatives can be used for more than just establishing the right to abortion. Last year, **Coloradans** approved a ballot initiative to repeal the state's prohibition on the use of Medicaid funding for abortion. This year, the legislature enacted a law to implement this ballot initiative, establishing Medicaid coverage and other public funding for abortion care.³²

Advocates and pro-reproductive freedom legislatures blocked other anti-abortion constitutional amendments from passing in several states. **Reproductive Freedom for All Arizona** led the effort to **block an anti-abortion constitutional amendment** that would have gutted the reproductive freedom amendment approved by voters in 2024.³³ **Montana** advocates **blocked** a similar law that would have put **dangerous fetal personhood ideology** into the state's constitution.³⁴

³⁰ S.J.R. 247, 2025 Leg., Reg. Sess. (Va. 2025).

³¹ H.J. 1/S.J. 1, 2026 Leg., Reg. Sess. (Va. 2026).

³² S.B. 183, 75th Gen. Assemb., 1st Reg. Sess. (Colo. 2025).

³³ H.C.R. 2058, 57th Leg., 1st Reg. Sess. (Ariz. 2025).

³⁴ H.B. 316, 69th Leg., Reg. Sess. (Mont. 2025).

Voter Suppression Used to Prevent Constitutional Protections for Abortion

Anti-abortion Republicans know the only way they can keep abortion off the ballot is to engage in voter suppression. This voter suppression can take many forms, from making it more difficult to put constitutional amendments on the ballot, to ballot language that misleads voters, to legislation that undermines the will of voters.

Oklahoma

- **Oklahoma** is a state that allows citizen-initiated amendments to the state constitution and which has not had the right to abortion on the ballot.
- This year, the state enacted a law that makes the process of putting a constitutional amendment on the ballot much more difficult, by **restricting the number of signatures that can be collected from the state's most populous counties**.³⁵
- Oklahoma Republicans have seen that abortion is popular, even in states that are otherwise Republican-controlled, like **Missouri**. They know that if abortion is on the ballot, it wins, which is why they're focusing their efforts to **keep abortion off the ballot through new restrictions** on signature collection.

Missouri

- Last year, **Missouri** voters approved a constitutional amendment that created the right to reproductive freedom.
- Abortion providers used this new right to reproductive freedom to **challenge the state's total abortion ban**. A state judge blocked the state's bans and restrictions.
- In response, the legislature enacted a **new law allowing the Attorney General to intervene** in cases where state officials were enjoined from enforcing laws.³⁶
- This allowed Republican former Attorney General **Andrew Bailey, who is now co-director of the FBI** to challenge the state court's order, which led to the **abortion bans taking effect again**.
- In addition, this year legislators referred **another amendment to the ballot that would prohibit abortion** and gender-affirming care for young people.³⁷ It was one of **over a dozen** bills introduced to roll back Missourians' new constitutional right to abortion.
- Not only are Republicans **trying to trick voters** by calling this Amendment 3, the same as the right to reproductive freedom amendment, they also **drafted a biased summary that did not explain that this amendment would repeal the right to reproductive freedom**.³⁸

Kansas

- The **Kansas** legislature referred a constitutional amendment to the ballot in 2026 that, if approved by voters, will **abolish the state's Supreme Court nominating commission and create direct elections** for Supreme Court justices.³⁹
- Since the right to abortion in Kansas was established through a decision by the state Supreme Court, any changes changes to how judges are selected has the potential to implicate reproductive freedom.

³⁵ S.B. 1027, 60th Leg., 1st Reg. Sess. (Okla. 2025).

³⁶ S.B. 22, 103rd Gen. Assemb., 1st Reg. Sess. (Mo. 2025).

³⁷ H.J.R. 73, 103rd Gen. Assemb., 1st Reg. Sess. (Mo. 2025).

³⁸ Jason Rosenbaum, Court requires new ballot summary for Missouri abortion ban plan, St. Louis Public Radio (Sep. 19, 2025), <https://www.stlpr.org/government-politics-issues/2025-09-19/court-requires-new-ballot-summary-for-missouri-abortion-ban-plan/>.

³⁹ S.C.R. 1611, 91st Leg., Reg. Sess. (Kan. 2025).

Partisan Gerrymandering Threatens Reproductive Freedom at the Federal Level

This year, at the urging of President Trump, **Texas** Republican Governor Greg Abbott called a special session to do mid-decade redistricting. The Texas legislature approved new maps that created five new safe Republican districts in the state. Anti-abortion extremists also used the special session to enact one of the strictest medication abortion bans in the country. Texans have seen firsthand the harms that come from a gerrymandered anti-abortion majority, and this **latest effort to redraw the Congressional maps puts the country one step closer to a national abortion ban**. As of this writing, other Republican-controlled legislatures are still considering partisan redistricting to give Republicans an advantage in the 2026 Congressional elections.

But Democratic states are fighting back. **California** recently passed Proposition 50 to do a mid-decade redistricting. Unlike the Texas law, this proposition would only go on the ballot if Texas or other Republican states engage in a mid-decade redistricting, and the map would only be used until 2031. After that date, California will return to the independent redistricting commission that has drawn Congressional districts in the state. California knows that **politics has changed, and we need to ensure that we have representatives at the state and federal level who will protect our rights**, including our right to reproductive freedom.

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Abortion Restrictions

OVERTURNING *Roe* was never the end goal of the anti-abortion movement. Anti-abortion extremists will not be satisfied until abortion is banned nationwide, people who receive abortions are punished, birth control is restricted, and fetuses and embryos are given the same full legal rights as people.

New Exceptions in Total Abortion Bans Still Fall Short

The deaths of Tierra Walker, Amber Nicole Thurman, Candi Miller, Josseli Barnica, Neveah Crain, Portia Ngumezi, Ciji Graham and others are the starker examples of the deadly nature of abortion bans. Abortion bans exacerbate the existing maternal mortality crisis. The maternal mortality rate for Black women is three times higher than white women. Native Americans have similarly high maternal mortality rates. Rather than address the dangers that Black women face in pregnancy and while giving birth, anti-abortion extremists ban lifesaving care, putting Black women at a unique risk.⁴⁰

Abortion bans lead to delays in care, put pregnant people's lives at risk, and disproportionately harm Black and Native American women. Anti-abortion extremists are trying to backtrack on the unpopular nature of these bans by introducing legislation to modify exceptions in total abortion bans. But no matter what legislators do, there is no way to write an exception that will stop pregnant people from dying. **Abortion bans are deadly and no exceptions can change that fact.**

Total Ban Amendments

- **Arkansas**,⁴¹ **Tennessee**,⁴² and **Texas**⁴³ enacted laws that amended the exceptions in their states' total abortion bans.
- All three states have seen high profile cases of pregnant people who faced life-threatening complications, or even died, after abortion care was denied or delayed.⁴⁴
- But abortion bans are not written by doctors, and there is **no way to write an exception that will encompass every possible pregnancy complication**. As long as states punish the provision of abortion care with harsh criminal and civil penalties, doctors will be afraid that they will go to jail or lose their license for providing medically necessary abortion care.
- The **Kentucky** legislature enacted a similar law, which was **vetoed by Democratic Governor Andy Beshear**.⁴⁵

⁴⁰ Latoya Hill, Alisha Rao, Samanthan Artiga & Usha Ranji, *Racial Disparities in Maternal and Infant Health: Current Status and Issues*, Kaiser Family Foundation (Dec. 3, 2025) <https://www.kff.org/racial-equity-and-health-policy/racial-disparities-in-maternal-and-infant-health-current-status-and-key-issues/>.

⁴¹ H.B. 1610, 95th Leg., Reg. Sess. (Ark. 2025).

⁴² S.B. 1004, 114th Gen. Assemb., 1st Reg. Sess. (Tenn. 2025).

⁴³ S.B. 31, 89th Leg., Reg. Sess. (Tex. 2025).

⁴⁴ Lara Farrar, An Arkansas mother's near-death experience with 'pro-life' abortion ban, Arkansas Times (Nov. 4, 2024, 3:26 PM), <https://ark-times.com/arkansas-blog/2024/11/04/an-arkansas-mothers-near-death-experience-with-pro-life-abortion-ban/>; Kavitha Surana, Doctors Warned Her Pregnancy Could Kill Her. Then Tennessee Outlawed Abortion, ProPublica (Mar. 14, 2023, 5:00 AM), <https://www.propublica.org/article/tennessee-abortion-ban-doctors-ectopic-pregnancy>; Eleanor Klibanoff, Women denied abortions sue Texas to clarify exceptions to the laws, The Texas Tribune (Mar. 7, 2024, 10:04 AM), <https://www.texastribune.org/2023/03/07/texas-abortion-lawsuit/>.

⁴⁵ H.B. 90, 2025 Leg., Reg. Sess. (Ky. 2025).

- In his veto message, the Governor acknowledged that not only is it impossible to create “an exhaustive list of emergency situations” that may occur during pregnancy, but also that the bill “contains language and rhetoric not used by medical professionals” and “**substitutes a physician’s best clinical judgment with an ambiguous, unworkable standard.**⁴⁶
- Unfortunately, the legislature overrode this veto and the exception amendments, along with their unworkable standard, became law in Kentucky.



Call To Action

Tragedies across the country have shown us that **exceptions do not work**. There is no way for legislators to draft an abortion ban to ensure that all the people who need life-saving abortion care will be able to access this care. The only way to prevent people dying from being denied abortion care is to **repeal abortion bans and the criminal penalties associated with them**.

Dangerous Fetal Personhood Ideology Harms Pregnant People and their Families

The tragic situation with Adriana Smith in **Georgia** demonstrates the dangers of personhood laws. In addition to a six-week abortion ban, Georgia has a law that defines a person to include a fetus. This combination of laws led to uncertainty in the case of Adriana Smith, with a hospital keeping her on life support, giving her family no choice in the matter.⁴⁷

Advance Directive

- There are **10 states that automatically invalidate a person’s advance directive** if they are pregnant, including **Alabama, Indiana, Kansas, Michigan, Missouri, Oklahoma, South Carolina, Texas, Utah, and Wisconsin**.⁴⁸
- 19 additional states, including Georgia, **allow providers to override a patient’s advance directive** if they are pregnant.⁴⁹



Call To Action

State legislators and advocates should ensure that their state law does not invalidate pregnant people’s advance directives, and enact laws that ensure that providers and hospitals respect advanced directives and family member’s wishes rather than making decisions based on dangerous fetal personhood ideology.

⁴⁶ Veto Message, Governor Andy Beshear, Veto Message from the Governor of the Commonwealth of Kentucky Regarding House Bill 90 of the 2025 Regular Session (Mar. 25, 2025), https://governor.ky.gov/attachments/20250325_Veto-Message_HB-90.pdf.

⁴⁷ Jess Mador, *Does Georgia’s fetal ‘personhood’ law mean a pregnant woman must stay on life support?* NPR (Jun. 7, 2025, 5:00 AM ET) <https://www.npr.org/sections/shots-health-news/2025/06/07/nx-s1-5425384/georgia-anti-abortion-fetal-personhood-law-pregnant-woman-life-support>.

⁴⁸ Pregnancy Justice, *Pregnancy Exceptionalism: A Review of Restrictions on Advance Directives* (Jun. 2025), <https://www.pregnancyjustice.org/wp-content/uploads/2025/06/advanced-directives.pdf>.

⁴⁹ Pregnancy Justice, *Pregnancy Exceptionalism: A Review of Restrictions on Advance Directives* (Jun. 2025), <https://www.pregnancyjustice.org/wp-content/uploads/2025/06/advanced-directives.pdf>.

Advance directives are not the only way fetal and embryo personhood shows up in state law. A wide variety of state laws, including laws that consider fetuses as people for the purposes of tax law, traffic law, and child support law include fetal and embryo personhood ideology. These laws represent the **insidious way anti-abortion extremists try to launder their unpopular and unworkable ideas.**

This year, **Kansas** enacted a law that allows courts to order people to pay child support for fetuses.⁵⁰ The law also allowed people to **take a tax credit for fetuses.**⁵¹ Recognizing this bill as the dangerous push towards full fetal personhood that it was, Kansas **Democratic Governor Laura Kelly vetoed** the bill, but the legislature **overrode her veto** and the bill is now law.⁵²

Anti-Abortion Centers Expand Their Influence Using State Funds and Evade Regulation

Anti-abortion centers (AACs), also known as “crisis pregnancy centers,” “pregnancy resource centers” or fake clinics, have long played an insidious role in the anti-abortion movement. AACs falsely represent themselves as legitimate reproductive health care clinics that provide care for pregnant people — but once potential patients come through their doors, they utilize deceptive practices and disinformation to dissuade people from accessing abortion and contraceptive care. Over 2,600 AACs are operating in the United States as of 2024, **outnumbering real abortion clinics three to one.**⁵³

One well-known tactic utilized by AACs is the intentional overestimation of a pregnant person’s gestational age: by making a pregnant person believe they are beyond the gestational limits of their local or neighboring states’ abortion bans, they cause delays in accessing legitimate, legal abortion care. These delays **become even more nefarious** when considering the abortion access landscape. An overestimation of gestational age for someone in a state like South Carolina may make them believe they aren’t a candidate for medication abortion via telehealth, or that they’re unable to travel to neighboring North Carolina for in-person care.

After *Dobbs*, anti-abortion states expanded the role AACs play in their states. Because AACs may provide services like free diapers and formula, legislators have seen supporting the operations of AACs as “doing something” for pregnant people. In 2025, we’ve seen legislators do this in two primary ways: funneling even more state funds into AACs, and attempting to protect them from regulation.

Funding for Anti-Abortion Centers

- **Texas**⁵⁴ enacted a bill to establish a tax credit for donations to anti-abortion centers. Several other states, including **Missouri**,⁵⁵ **Oklahoma**,⁵⁶ and **South Carolina**,⁵⁷ attempted to pass similar bills — with some bills creating a 100% tax credit for donations — but efforts stalled at varying points in the legislative process.

⁵⁰ H.B. 2062, 91st Leg., Reg. Sess. (Kan. 2025).

⁵¹ H.B. 2062, 91st Leg., Reg. Sess. (Kan. 2025).

⁵² Veto Message, Gov. Laura Kelly, Governor Kelly Vetoes Seven Bills, Allows Three to Become Law Without Signature (Apr. 9, 2025) <https://www.governor.ks.gov/Home/Components/News/News/616/55>.

⁵³ CPCs Across the U.S., Crisis Pregnancy Center Map <https://crisispregnancycentermap.com/> (last accessed Jan. 7, 2026).

⁵⁴ S.B. 2018, 89th Leg., Reg. Sess. (Tex. 2025).

⁵⁵ S.B. 681, 103rd Gen. Assemb., 1st Reg. Sess. (Mo. 2025); H.B. 1176, 103rd Gen. Assemb., 1st Reg. Sess. (Mo. 2025).

⁵⁶ H.B. 1201, 60th Leg., 1st Reg. Sess. (Okla. 2025).

⁵⁷ S.B. 32, 126th Gen. Assemb., 1st Reg. Sess. (S.C. 2025).

- **West Virginia**⁵⁸ enacted a bill to allocate additional state funds to anti-abortion centers. Similar bills advanced in **Arizona**⁵⁹ and **Minnesota**,⁶⁰ but ultimately did not pass.

Regulatory Protections for Anti-Abortion Centers

- **Montana**⁶¹ enacted a bill to prohibit state and local governments from regulating anti-abortion centers. **Specifically**, the law prohibits requiring AACs to offer, refer, or counsel a patient to receive abortion care. The law also creates a civil cause of action for AACs to seek damages, declaratory relief, and injunctive relief.
- A near-identical bill advanced in **Wyoming**⁶², but stalled in the second chamber and ultimately did not pass.

Abortion as Homicide Emerges as a Troubling Trend

For the anti-abortion movement, **overturning Roe was just the beginning**. Anti-abortion extremists will not stop until abortion is banned nationwide with harsh penalties for people who receive abortion care. “Abortion as homicide” bills are the latest model legislation that anti-abortion extremists are shopping around the country. These bills would treat **abortion as murder, and have no exceptions for the pregnant person**. Across the country, pregnant people are already criminalized for adverse pregnancy outcomes, and since *Dobbs*, this criminalization is on the rise. Low-income Black and low-income white people bear the brunt of pregnancy criminalization, a trend that will likely continue if abortion is prosecuted as homicide.⁶³

Many states that introduced this legislation also have the death penalty, meaning depending on how state criminal law is written, pregnant people could face the death penalty for having an abortion. This year, at least **nine states introduced legislation to treat abortion as homicide**. None of these laws passed, but this legislation indicates anti-abortion extremists’ interest in punishing pregnant people for accessing abortion care.

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Threats to Medication Abortion Increase in States Where Abortion is Banned

Recent reports have found that **nearly 15,000 abortions a month are provided by shield law providers** into states where abortion is banned or severely restricted.⁶⁴ In response, states hostile to abortion are trying to further restrict access to medication abortion. This kind of legislation can take several forms, including bills that create new civil liability for providers, manufacturers, and distributors of medication abortion medication, to legislation that restricts the kind of information that can be shared about medication abortion.

⁵⁸ S.B. 537, 87th Leg., Reg. Sess. (W. Va. 2025).

⁵⁹ H.B. 2216, 57th Leg., 1st Reg. Sess. (Ariz. 2025).

⁶⁰ H.F. 25, 94th Leg., 1st Reg. Sess. (Minn. 2025).

⁶¹ H.B. 388, 69th Leg., Reg. Sess. (Mont. 2025).

⁶² H.B. 273, 68th Leg., Reg. Sess. (Wyo. 2025).

⁶³ *The Rise of Pregnancy Criminalization: A Pregnancy Justice Report*, Pregnancy Justice (Sep. 2023) <https://www.pregnancyjusticeus.org/wp-content/uploads/2023/09/9-2023-Criminalization-report.pdf>.

⁶⁴ #WeCount report, April 2022 to June 2025, Society of Family Planning (Dec. 9, 2025) <https://societyfp.org/research/wecount/wecount-june-2025-data/>.

States Enact Bounty-Hunter Style Bans Aimed at Telemedicine Providers

- **Texas** enacted a law this year that allows **any person to sue** a provider, manufacturer, or distributor of medication abortion and **receive \$100,000 in damages**.⁶⁵
- The law aims to **target interstate shield providers**, and includes language to try to avoid clawback suits that shield states allow providers to file in response to civil lawsuits from states hostile to abortion.⁶⁶
- Private citizens can also sue if someone intends to violate Texas's abortion laws.⁶⁷ An abortion does not even have to occur for someone to be held civilly liable. The bill's sponsor even confirmed during a debate that **a parent who called a clinic outside of the state and asked about obtaining medication abortion by mail could be sued** under this law.⁶⁸
- **Louisiana** enacted a similar law, but the Louisiana law only allows the pregnant person to sue.⁶⁹ The pregnant person can sue anyone who provides or "**substantially facilitates**" an abortion,⁷⁰ which includes abortion providers, but could also sweep in abortion funds, practical support organizations, and friends and family helping their loved ones access care. Like the Texas law, successful lawsuits can lead to a minimum of \$100,000 in damages.

Like the abortion as homicide bills, these laws that create civil penalties for people who provide or facilitate abortion care **indicate the future goals of the anti-abortion movement**. The version of H.B. 7 that was introduced in the regular session of the Texas legislature created a first degree **felony for anyone who paid for or reimbursed someone for the costs associated with an abortion**.⁷¹ The original Louisiana bill allowed the pregnant person, as well as the father of the fetus and the maternal and paternal grandparents of the fetus, to sue.⁷²

Absurd Environmental Disinformation about Medication Abortion and Wastewater

- Back in 2022, the anti-abortion group Students for Life **petitioned the FDA to require additional restrictions on medication abortion**.⁷³ These claims were based on the unscientific idea that mifepristone was making its way into the water supply and causing environmental harms.
- Anti-abortion extremist legislators took up the charge, and this year several states introduced legislation that would require **medication abortion "catch kits"** or require **additional wastewater testing and restrictions on medication abortion**.
- There is **no evidence** to support the lie that mifepristone and birth control are contaminating the water supply. Singling out mifepristone, contraceptives, and hormones used in gender-affirming care while exploiting the environmentalism movement is a **misleading and stigmatizing ploy** by anti-abortion extremists.
- Extremists have been unable to ban these medications in other ways, and are now attempting to use **unfounded environmental concerns as a back door** to restrict access to these critical medications and make their anti-abortion agenda more palatable to the average voter.

⁶⁵ H.B. 7, 89th Leg., 2nd Spec. Sess. (Tex. 2025).

⁶⁶ H.B. 7, 89th Leg., 2nd Spec. Sess. (Tex. 2025).

⁶⁷ H.B. 7, 89th Leg., 2nd Spec. Sess. (Tex. 2025).

⁶⁸ J. David Goodman, Texas Lawmakers Back Citizen Lawsuits to Stop Mail-Order Abortion Pills, The N.Y. Times (Aug. 28, 2025), <https://www.nytimes.com/2025/08/28/us/politics/texas-house-abortion-bill.html>.

⁶⁹ H.B. 575, 2025 Leg., Reg. Sess. (La. 2025).

⁷⁰ H.B. 575, 2025 Leg., Reg. Sess. (La. 2025).

⁷¹ S.B. 2800, 89th Leg., Reg. Sess. (Tex. 2025).

⁷² H.B. 575, 2025 Leg., Reg. Sess. (La. 2025).

⁷³ Alice Miranda Ollstein, The next abortion fight could be over wastewater regulation, Politico (Nov. 23, 2022), <https://www.politico.com/news/2022/11/23/abortion-pills-opponents-environmental-laws-00070603>.

Conclusion

Overturning *Roe* was never the end goal of the anti-abortion movement, nor was it enough to ban abortion in certain states. The anti-abortion movement will not be satisfied until it is impossible for people to obtain abortion care. This includes laws that punish providers who provide medication abortion across state lines, laws that make it a felony to pay for someone else to access abortion care, and eventually, **a nationwide abortion ban.**

But pro-reproductive freedom lawmakers and advocates are fighting back. At all levels of government, in every state, reproductive freedom champions are introducing innovative laws, fighting back against abortion restrictions, and creating new pathways to ensure that all people can access the abortion care they need. The interstate shield protections for providers, innovative funding mechanisms, fertility care coverage, and other proactive laws discussed in this report should be replicated across the country and at the federal level.

For more information about any of the bills discussed in this report, or if you are interested in working with Reproductive Freedom for All on policies or legislation, please do not hesitate to reach out to our State Team at statepolicy@reproductivefreedomforall.org.

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