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GOVERNOR HERBERT SIGNS 18-WEEK ABORTION BAN INTO LAW
*The ACLU of Utah and Planned Parenthood Association of Utah
will challenge unconstitutional ban in court*

SALT LAKE CITY – Today, Governor Herbert signed H.B. 136 - an 18-week abortion ban - into law. This law, which is scheduled to take effect in May, inserts politicians into the doctor's exam room and is unconstitutional.

Laws that ban abortion prior to viability, like H.B. 136, clearly violate a person's constitutionally protected right to an abortion. The ACLU of Utah Foundation, Inc. and Planned Parenthood Association of Utah plan to file a lawsuit against the state of Utah to ensure that Utahns can maintain their right to access safe and legal abortion.

This ban adds to the long list of restrictive abortion policies that legislators have already enacted in this state. For example, Utah already forces people seeking abortion to complete a state-mandated online education module and a face-to-face informed consent session designed to discourage people from seeking abortion services, and then wait 72 hours before receiving abortion care. These medically unnecessary restrictions can cause delays that force abortion later into pregnancy and disproportionately impact women who live in rural areas of our state and families who are economically disadvantaged.

The U.S. Supreme Court has held for over 40 years that states may not ban abortion prior to viability. The Court has also made clear that states are prohibited from drawing a line at a particular number of weeks to establish fetal viability. When the Utah Legislature passed a law in the early 1990s to ban abortions 20 weeks after conception, the U.S. Court of Appeals for the Tenth Circuit ruled it was unconstitutional. Yet Utah has again deliberately flouted controlling court decisions by passing H.B. 136.

Statement from Karrie Galloway, President and CEO of Planned Parenthood Association of Utah:

"Politicians have no place in the private, medical decisions of Utah women. This 18-week ban is clearly unconstitutional and part of a broader agenda to ban abortion one law at a time. It is not only a direct attack on the women of Utah, it is a blatant and targeted attempt to chip away at *Roe v. Wade*. Instead of wasting taxpayer money on another lawsuit, our state lawmakers should focus on improving women's

health through increased access to health care and education, and removing the hurdles to care they themselves have put in place.”

Statement from Marina Lowe, Legislative and Policy Counsel, ACLU of Utah:

“H.B. 136 interferes with a woman’s most personal medical decisions and violates fundamental constitutional principles that courts have repeatedly affirmed. The decision to continue or end a pregnancy is one that must be made by a woman in consultation with those she trusts, including her physician, family and faith leaders.

“The U.S. Supreme Court and lower courts consistently have held that a state cannot ban abortion prior to fetal viability. This principle has been applied and reaffirmed repeatedly for over four decades, most recently in *Whole Woman’s Health v. Hellerstedt* in 2016, and also in the Utah case of *Jane L. v. Bangerter*, which struck down an abortion ban in the mid-1990s.”

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The ACLU of Utah Foundation, Inc. chartered in 1958 as an affiliate of the national ACLU, operates through public education, legal advocacy, litigation, and lobbying at both the state and local levels to ensure the constitutional rights and freedoms of everyone living in or visiting Utah. Our work is based on those principles outlined in the Bill of Rights and the U.S. Constitution. Find us online at www.acluutah.org

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At Planned Parenthood Association of Utah, we believe that every Utahn deserves to choose their own path to a healthy and meaningful life. For nearly 50 years, we’ve provided high-quality, affordable, and compassionate reproductive health care to thousands of Utah women, men, and their families at eight health centers around the state. For more information, please visit us online at www.ppau.org