

# Utah agrees to delay implementation of new laws on abortion

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SALT LAKE CITY (AP) — Utah officials agreed Thursday to delay the implementation of a new law that bans most abortions after 18 weeks of pregnancy as a legal challenge plays out in the courts.

Utah Attorney General Sean Reyes made the announcement shortly before a court hearing in which abortion-rights advocates who sued over the law were ready to ask a judge to delay the measure that had been set to take effect May 14.

Reyes, a Republican, said his office will still defend the constitutionality of the law. But he noted the delay will allow both sides to prepare for the case involving the contentious, deeply personal issue.

Reyes said he expects the case, or one like it, to eventually reach the U.S. Supreme Court.

“Besides presenting questions about the fundamental right of the unborn to life, liberty and the pursuit of happiness, as well as the health and safety of the mother and her rights, the case raises important questions about governmental power and the proper role of courts,” Reyes said.

The delay means the reproductive rights of Utah residents will be protected while attorneys show the judge that the law violates the Constitution, said Leah Farrell, staff attorney at the American Civil Liberties Union of Utah. The ACLU and the Planned Parenthood Association of Utah sued to block the law.

“People can feel good about having access to the health care that they need,” Farrell said.

The state agreed to the injunction because attorneys want to approach the case in a “thoughtful, deliberative way,” state attorney Lance Sorenson said.



Next, U.S. District Judge Clark Waddoups will decide whether to give the state more time to build a case in favor of the law. The ACLU argues the case can be decided quickly based on court papers.

The groups argued in the lawsuit filed last week that the law violates the U.S. Supreme Court’s longtime stance that states cannot ban abortion before a fetus is viable outside the womb.

The sponsor of the Utah measure, Republican Rep. Cheryl Acton, has said she wanted to reduce the number of second-trimester abortions that “shock the conscience.”

Utah Gov. Gary Herbert, also a Republican, said when he signed the law that it strikes a balance between a woman’s right to choose and protecting fetuses.

The measure allows some exceptions — including cases of rape, fatal fetal deformity or serious detriment to a mother’s health.

The legal battle in Utah comes as abortion opponents across the country push for near-total bans on the procedure, emboldened by the new conservative majority on the Supreme Court.

Republican Arkansas Gov. Asa Hutchinson has also signed an 18-week ban, and several other states have considered or passed proposals to ban abortion once a fetal heartbeat can be found.

The opponents are seeking cases that could be used to challenge *Roe v. Wade*, the 1973 case that legalized abortion nationwide.

Abortions done after 18 weeks account for about 3% of the procedures done at Planned Parenthood of Utah, the organization said.