



## **WOMEN'S ACCESS TO SAFE, LEGAL ABORTIONS**

*The League of Women Voters of the United States believes that public policy in a pluralistic society must affirm the constitutional right of privacy of the individual to make reproductive choices.*

**Women's health and access to comprehensive reproductive health services, including safe, legal abortions, are priority issues for the League of Women Voters of Texas (LWVTX) and its members around the state. In Texas, opponents of access to safe legal abortions have been successful in enacting numerous laws that have increasingly limited access.**

In June 2016, the US Supreme Court struck down the Texas law enacted in 2013 requiring abortion providers to have staff privileges at nearby hospitals and abortion facilities to meet the standards of "ambulatory surgical centers." (*Whole Woman's Health v. Hellerstedt*, 136 S.Ct. 2292 (2016)). The Court said that the purported health benefits of the law were not "sufficient to justify the burdens upon access" to the constitutional right to abortion, thus strengthening the legal standard for reviewing legislative restrictions on abortion.

Despite this ruling and the new standard for judicial review, Texas opponents of reproductive justice remain determined to impose new limitations on and requirements for abortion access. In 2017, the Texas Legislature passed a "fetal burial law", which was declared unconstitutional by a U.S. district court in September 2018. This law would have required hospitals, abortion clinics and other providers to arrange for the burial or cremation of fetal remains, regardless of a patient's personal wishes or religious beliefs, and regardless of whether the remains were from an abortion or miscarriage. The case has been appealed to the Fifth Circuit Court of Appeals by the Texas Attorney General.

### **LWVTX will vigorously oppose proposed legislation that would, among other mandates:**

- Remove severe and irreversible fetal abnormality as a permissible reason for abortion in the 3rd trimester
- Require burial or cremation of fetal tissue; reports concerning disposition of such tissue; issuance of fetal death certificates by health care facilities
- Impose prevention and reporting requirements and penalties in cases of purported "coerced" abortions
- Ban insurance coverage of abortions
- Impose additional restrictions on the judicial bypass procedure available to minors who do not obtain parental consent for an abortion

### **LWVTX will support proposed legislation intended to ameliorate some previously enacted harmful laws:**

- Eliminate the waiting period before an abortion can be performed
- Remove unproved information from informed consent to abortion materials and require these materials to be supported by accurate research

### **Why the LWVTX fights to allow women their right of reproductive choice**

- Without access to safe, legal abortions, women and girls will obtain them illegally in back-alley facilities where their lives will be endangered.
- There is nothing more private to a woman than the right to regulate her own fertility. Politicians should not dictate her reproductive choices.
- Abortion is a safe medical procedure. The vast majority of women who have an abortion do so in their first trimester. Medical abortions have less than 0.5% risk of serious complications and do not affect a woman's health or future ability to become pregnant or give birth.
- People who oppose abortions often base their opposition on religious and moral grounds. But the 1st Amendment to the US Constitution guarantees freedom of religion. Those who oppose abortion do not have the right to impose their religious views on others, just as those who recognize the right to abortion as valid cannot mandate others to obtain abortions.
- Restrictions on abortion such as waiting periods place an extra burden on poor women and women in rural areas.

*Louise Hytken, Women's Health/Reproductive Choice*

