

Governor approves strictest abortion ban in US (Update)

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(AP)—A Republican governor signed legislation Tuesday on the strictest abortion law in the country, banning the procedure if a fetal heartbeat can be detected—which can happen as early as six weeks into a pregnancy.

Supporters said the North Dakota law is a direct challenge the U.S. Supreme Court's landmark 1973 *Roe v. Wade* ruling that legalized abortion up until a fetus is considered viable, usually at 22 to 24 weeks.

"Although the likelihood of this measure surviving a court challenge remains in question, this bill is nevertheless a legitimate attempt by a state legislature to discover the boundaries of *Roe v. Wade*," Dalrymple said in a statement.

The law also is an attempt to close the rural state's only abortion clinic, the Red River Women's Clinic in Fargo. Its director Tammi Kromenaker called the legislation "extreme and unconstitutional." Minutes after the governor signed the anti-abortion measures, unsolicited donations began pouring into the clinic to help opponents prove the new laws are unconstitutional.

Abortion-rights advocates have promised a long legal fight that they say the state can't win.

North Dakota lawmakers also moved last week to outlaw abortion in the state by passing a resolution defining life as starting at conception,

essentially banning abortion in the state. The measure is likely to come before voters in November 2014.

Gov. Jack Dalrymple on Tuesday also signed into law other measures that makes the state the first to ban abortions based on genetic defects such as Down syndrome and require a doctor who performs abortions to be a physician with hospital-admitting privileges. The measures also ban abortion based on genetic selection.

Another state in the U.S. heartland, Arkansas, passed a ban earlier this month that prohibits most abortions when a fetal heartbeat can be detected using an abdominal ultrasound. A fetal heartbeat can generally be detected earlier using a vaginal ultrasound, but Arkansas lawmakers balked at requiring women to have the more invasive imaging technique. That effectively establishes a 12-week ban.

North Dakota's legislation doesn't specify how a fetal heartbeat would be detected. Doctors performing an abortion after a heartbeat is detected could face a felony charge punishable by up to five years in prison and a \$5,000 fine. Women having an abortion would not face charges.

In an interview later Tuesday, Dalrymple told The Associated Press that the courts opened the door for a challenge by picking a specific moment in the timeline of gestation. He also said he studied the fetal heartbeat bill and "educated myself on the history and legal aspects as best I could. My conclusion is not coming from any religious belief or personal experience."

Dalrymple asked the Legislature of the oil-rich state to set aside money for a "litigation fund" that would allow the state's attorney general to defend the measure against lawsuits.

He said he didn't know how much the likely court fight would cost, but

he said money wasn't the issue.

"The Legislature has decided to ask these questions on additional restrictions on abortions, and I think they have the legitimate right to ask those questions," he said.

The signed measures, which take effect Aug. 1, are fueled in part by an attempt to close the Red River Women's Clinic.

Kromenaker said Dalrymple "awoke a sleeping giant" by approving the measures.

"First and foremost, abortion is both legal and available in North Dakota," she said. "But anytime abortion laws are in the news, women are worried about access."

The New York-based Center for Reproductive Rights announced Tuesday that it has committed to challenging the fetal heartbeat bill on behalf of the clinic.

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