



SOUTH DAKOTA BANS ABORTION

On Monday, March 6, 2006, Governor Mike Rounds (R) signed into law House Bill 1215, an outright ban on abortion. The ban provides no exceptions for rape, incest, or to protect a woman's health—it contains only an inadequate life exception. Supporters of the ban admit that this clearly unconstitutional bill is an attempt to challenge *Roe v. Wade*.

By signing HB 1215 into law, Governor Rounds and anti-choice legislators have enacted the most restrictive ban on abortion since *Roe v. Wade*. Although Louisiana and Utah passed unconstitutional and unenforceable bans on abortion in the early 1990s, even those both contained exceptions for rape and incest, unlike the South Dakota ban. It is likely that HB 1215 will be challenged immediately in court, potentially preventing it from going into effect unless and until the Supreme Court reconsiders *Roe's* core holdings.

When the legislature passed a similar ban in 2004, Governor Rounds estimated that it could cost the state up to one million dollars to defend the ban against a court challenge. An anonymous donor has pledged one million dollars to contest any court challenge to HB 1215 and according to the bill's author, Rep. Roger Hunt (R), individuals have contacted the governor's office about making further donations. Governor Rounds also signed a bill that would create a state fund to finance the legal defense of laws regulating abortion and contraception.

As of March 3, 2006, legislatures in 11 states in addition to South Dakota are considering abortion bans that would outlaw abortion in all or most circumstances: AL, GA, IN, KY, MS, MO, OH, RI, SC, TN, WV.

Even with *Roe's* protections in place, South Dakota has only one abortion provider. And while the state has numerous laws in place to restrict abortion access – in fact, it is among the five most restrictive states in the country – South Dakota lawmakers have not enacted a single pro-choice law to facilitate and ensure access to birth control.

Anti-choice lawmakers have clearly been emboldened by President Bush's appointments to the Supreme Court and lower federal courts, as evidenced by their passage of a law that is clearly in conflict with *Roe v. Wade*.

Where New Hampshire Stands

- New Hampshire repealed its 1848 abortion ban laws under former Gov. Jeanne Shaheen.
- New Hampshire currently restricts low-income women's access to abortion.
- New Hampshire has an unconstitutional and unenforceable law that restricts young women's access to abortion services by mandating parental notice.
- 50 percent of New Hampshire counties have no abortion provider.
- New Hampshire allows women greater access to emergency contraception (EC).
- New Hampshire law requires health insurance plans that cover prescription drugs to provide the same coverage for contraception.