

## LAWS LIKELY ELIMINATED IF ISSUE ONE PASSES ON NOV 7, 2023

---

Details retrieved from: <https://www.cleveland.com/news/2022/05/24-hour-waiting-periods-choose-life-license-plates-and-fetal-heartbeat-bill-ohio-has-passed-dozens-of-laws-to-restrict-abortion.html>

24-hour waiting periods, ‘Choose Life’ license plates and ‘fetal heartbeat’ bill: Ohio has passed dozens of laws to restrict abortion | Updated: Jul. 05, 2022, 6:58 a.m.|Published: May. 14, 2022, 6:30 a.m.  
By [Laura Hancock, cleveland.com](#)

COLUMBUS, Ohio -- With the U.S. Supreme Court [poised to overturn](#) abortion rights, individual states will decide whether to grant women access to an abortion. To get an idea of where Ohio is heading, just look at the past four decades, when the Ohio General Assembly passed dozens of abortion restrictions.

-Lawmakers started slowly in the first years after the landmark 1973 Roe v. Wade Supreme Court decision. The governor’s office and legislature then had more Democrats, who generally opposed efforts to block abortion access. By 2011, that changed.

-A Republican became governor after Democratic former Gov. Ted Strickland. “We got John Kasich elected after we had Strickland for four years,” said Mike Gonidakis, president of Ohio Right to Life. “We had an aggressive agenda, and we had great leaders in the House and Senate who wanted to move that agenda.”

-New Ohio House and Senate district maps that diluted traditionally Democratic areas also helped, said Jessie Hill, a Case Western Reserve University law professor who has sued the state numerous times on behalf of abortion rights supporters.

-“Our state got way more gerrymandered than it was before,” she said. “The Republicans had a supermajority, and it was a more extreme set of Republicans. This was the time of the Tea Party, if you recall. I think the General Assembly just moved to the right a lot. This was actually a national trend, too.”

What’s likely next from Republicans is a “trigger” ban law to go into effect after Roe falls. It would end abortion, except when necessary to prevent a woman’s death or stop a major and irreversible health problem. Abortion rights supporters vow to fight that effort.

-But the past may reveal clues about what the future might resemble. [Cleveland.com/](#)

The Plain Dealer compiled a list of laws that restrict or discourage abortions from lists of laws Ohio Right to Life maintains, a discussion with Hill about the cases she’s litigating, the pro-abortion rights Guttmacher Institute, court documents and media reports.

### 1986

---

**House Bill 319:** Physicians cannot perform an abortion on an unmarried, unemancipated minor unless they provide timely notice to the girl’s parents or a juvenile court issues an order authorizing the minor to consent. The U.S. Supreme Court upheld the law in the case of the [Akron Center for Reproductive Health](#) in 1990.

### 1992

---

**HB 108:** A woman must wait 24 hours before having an abortion in Ohio. This law required women to visit an abortion clinic twice: First to talk to a physician and second to return for the abortion procedure after at least 24 hours have elapsed. For women who live far from abortion

clinics, the cost to have an abortion increased, requiring more driving and possibly booking a hotel.

## 1995

---

**HB 135:** Ohio became the first state to pass a ban on an abortion method called “dilation and extraction,” “D&X,” or “intact D&E.” Dr. Martin Haskell of Dayton was one of the doctors who devised the procedure. It involves dilating the woman’s cervix, pulling the fetus through, feet-first, until the head remain inside, [according to NPR](#). Then using a sharp instrument, the head is punctured, and the skull is compressed to fit through the dilated cervix. Haskell has said the procedure was needed for second-trimester abortions without an overnight hospital stay since local hospitals didn’t permit most abortions after 18 weeks. Opponents call the procedure “partial-birth abortion.”

>The U.S. 6th Circuit Court of Appeals found the law unconstitutional in 1997.

>President George W. Bush signed a federal ban on the method in 2003, which the U.S. Supreme Court upheld in 2007, making the procedure illegal in all 50 states.

## 1998

---

**HB 395:** Tax dollars for state employees’ health plans could no longer cover abortions, except for when the pregnancy endangered the woman’s life or if she was a victim of rape or incest, and the crime was reported to a law enforcement agency.

**HB 42:** Clarified that in 1992’s 24-hour waiting period law, a doctor must meet in person with a woman, except in a medical emergency. The bill clarified 1986’s parental consent law that parents or the courts need to OK an abortion before the procedure, but a section of that change was held unconstitutional by the U.S. 6th Circuit Court of Appeals in 2006.

## 2000

---

**HB 241:** An amendment to this bill prohibited nurses with prescribing privileges from offering drugs to induce abortions.

## 2001

---

**State budget amendment:** The state prohibited Ohio’s Genetic Services Fund from using money to counsel or refer people for an abortion, except in medical emergencies. [The Genetic Services Fund](#) is generated by a fee assessed for newborn screenings. Money from the fund goes to a network of genetic centers that provide help for people with or at risk for genetic disorders.

**HB 660**: This “Baby Moses Law” allowed parents to give up a newborn to a medical worker in a hospital, a medical worker at a fire department or emergency service organization or a police officer at a law enforcement agency without being subject to criminal penalties for desertion. It’s also known as a “safe haven” law. This is significant because [U.S. Supreme Court Justice Amy Coney Barrett has pointed](#) to safe haven laws as an option for women instead of abortion.

## 2002

---

**SB 124**: Clarified that Ohio abortion clinics must obtain ambulatory surgical facility licenses. Abortion rights supporters believe this license, along with several rules lawmakers required in the following years to keep a license, led to the closure of numerous clinics, limiting access for women and requiring many to travel long distances to receive an abortion. They also argue that the stringent rules communicate a false narrative that abortions are dangerous [when research shows that childbirth has a higher mortality rate than abortion](#).

## 2003

---

**Budget Amendment**: The Ohio Department of Health’s health services for women funds can’t be used to provide abortion services or to counsel or refer women for an abortion, except in medical emergencies. Programs that receive the grants must provide services that are physically and financially separate from abortion services. The Department of Health’s funding priorities were rearranged, resulting in Planned Parenthood not getting any more of the money.

## 2004

---

**HB 126**: The bill created a criminal penalty for doctors who provide mifepristone, a prescription pill, to a woman to induce an abortion without complying with federal recommendations for specific dosages of the drug. This is despite physicians nationwide having discovered lower doses are more effective and doctors elsewhere prescribing lower doses.  
>A [protracted legal battle over the Ohio law ensued](#), but a court finally allowed it to go into effect in February 2011.  
>By 2016, [a study found](#) that Ohio women who had taken mifepristone after the law went into effect experienced nearly triple the rate of complications as women in other states, including having to return to the clinic for follow-up care. The most common intervention during the follow-up visit was an additional misoprostol dose, needed to finish an incomplete abortion.

## 2004-2005

---

**Senate Bill 156:** An amendment to this bill authorized the sale of “Choose Life” Ohio license plates. Proceeds from sales benefit groups that encourage women to place children for adoption and crisis pregnancy centers, which abortion-rights supporters say offer women [biased and medically inaccurate information](#).

## 2006

---

**HB 287:** Prohibited “wrongful birth” and “wrongful life” lawsuits, which are medical malpractice claims that people used to file against physicians who were negligent or failed to provide information on the condition of a fetus.

>Some women choose to abort a pregnancy after discovering they have severe diseases.

[Abortion rights supporters](#) say parents have the right to information about the pregnancy and now have no justice if a physician purposely or negligently withholds information.

**SB 154:** Physician assistants are prohibited from prescribing pills to induce an abortion.

**HB 530:** Codified into law an existing administrative rule that required clinics to send to the Ohio Department of Health a confidential report on each abortion performed. The reports are used in [the annual abortion statistical report](#).

>The bill also placed the 2003 budget amendment eliminating grants to Planned Parenthood into a standalone law.

## 2006-2007

---

**HB 239:** Declared that it’s the public policy of Ohio to prefer childbirth over abortion. It prohibits state and local funds from being used for an abortion – except in rape, incest, or to preserve the woman’s life. It allows private citizens to seek an injunction in court requiring a clinic to stop operating without an ambulatory surgical facility license.

## 2008

---

**HB 314:** Abortion clinics performing ultrasounds must offer women the opportunity to view the live ultrasound image and provide them the chance to receive a physical picture of the image. [The bill was a watered-down version](#) of a more stringent measure and abortion-rights supporters were neutral.

**SB 304:** Increased the time, from 72 hours to 30 days after birth, that a parent can voluntarily leave a newborn at a hospital or other location and get immunity from criminal prosecution.

>In fact, the draft U.S. Supreme Court opinion leaked earlier in the month mentions safe haven laws three times.

**HB 554:** A provision in an economic stimulus bill tried to stop \$100 million in state biomedical funds from being used in human cloning research, but then-Gov. Ted Strickland [vetoed the line item](#) while signing the overall bill.

---

## 2008-2009

---

**HB 280:** A law related to child abuse, human trafficking and assault against pregnant people also required abortion clinics to display a poster of at least 11 by 17 inches with a message that includes: “NO ONE CAN FORCE YOU TO HAVE AN ABORTION. NO ONE – NOT A PARENT, NOT A HUSBAND, NOT A BOYFRIEND – NO ONE.”

---

## 2011

---

**HB 78:** Banned abortion when a pregnancy is 20 weeks along if a doctor determines a fetus is viable. Generally, [fetuses aren't viable until 24 weeks](#), according to medical professionals, and this law requires a doctor to perform tests to determine viability. The law has an exception to preserve a woman's life.

**HB 63:** Makes more stringent Ohio's law for minors seeking [abortions without parental consent](#) by requiring a “clear and convincing evidence” standard in court. Judges have to inquire about the minor's understanding and feelings about the abortion and whether anyone prepped her to respond to the judge's questions.

>The only courts that can approve abortions are in counties where minors live or those in adjacent counties.

**HB 153:** Prohibits “elective abortions,” or those that are a woman's preference and not an emergency, at taxpayer-supported hospitals. It prohibits local governments from purchasing taxpayer-supported health insurance plans that cover abortions.

---

## 2013

---

**Budget amendments:** An anti-abortion budget amendment stripped money from Planned Parenthood and other abortion providers. It also sent \$600,000 of TANF dollars – or federal Temporary Assistance for Needy Families – to pregnancy crisis centers. It required clinics to offer women the choice to listen to a fetus' cardiac activity if an ultrasound is performed before an abortion. It also required clinic doctors to describe different parts of fetal development.

>Abortion clinics must obtain “transfer agreements” with local hospitals to provide

emergency care when needed, but publicly funded hospitals are prohibited from entering into the agreements. Then-Gov. John [Kasich didn't line-item veto](#) any of the abortion provisions. The transfer agreement requirement resulted in numerous lawsuits in the following years, as clinics struggled to find private hospitals for transfer agreements. Catholic hospitals have refused, and [many private hospitals resisted](#) the agreements, not wanting to enter into the abortion debate.

## 2014

---

**HB 522:** Required health providers and hospitals to distribute Ohio Department of Health materials to pregnant women about Down syndrome. Three years later, a stricter ban on abortions when a fetus could have Down syndrome went into effect.

## 2015

---

**Budget amendments:** The Ohio Department of Health must determine within 60 days whether an abortion clinic that's unable to secure a transfer agreement can get a variance to the rule. It also specified that local hospitals must be within [30 miles of a clinic](#). This restriction was likely aimed at Toledo's remaining abortion clinic, which [in part of 2013 and 2014](#) couldn't secure an agreement with any nearby hospitals until it obtained one with the University of Michigan, about 50 miles away. Another amendment provided \$1 million in TANF funds to crisis pregnancy centers.

## 2016

---

**HB 294:** The General Assembly "defunded" Planned Parenthood by removing remaining funding streams not addressed in previous laws – including from a sexual assault prevention fund, the Breast and Cervical Cancer Project and the Personal Responsibility Education Program, known as PREP. [Planned Parenthood sued](#), but a federal appeals court [upheld the law](#) in 2019.

**SB 127:** The bill [prohibited abortion](#) after 20 weeks post-fertilization, or about 22 weeks as measured by physicians. The bill contains an exception when a woman's life is endangered, [but critics said](#) it is too narrow. There's been no legal challenge to this law.

## 2017

---

**HB 214:** Physicians who perform abortions knowing a woman’s decision was partially or entirely based on genetic testing showing [a fetus may have Down syndrome](#) could face criminal punishment. A federal appeals court [upheld the law in 2021](#).

**Budget amendment:** Another \$1 million in TANF dollars [was distributed](#) to crisis pregnancy centers across Ohio.

## 2018

---

**SB 145:** The Senate bill [banned the dilation and evacuation](#) or the D&E procedure, typically used after 13 weeks. It’s the [most common method](#) of second-trimester abortions. Planned Parenthood and abortion rights supporters [sued in federal court](#). A judge blocked part of the law from going into effect, saying the state cannot punish doctors who perform the procedure on a woman less than 18 weeks pregnant while the court decides the overall constitutionality of the law. The case is pending.

## 2019

---

**SB 23:** [Abortion is prohibited](#) as soon as a fetal “heartbeat,” or cardiac activity can be detected. This can be as early as six weeks before many women know they are pregnant. [A federal judge blocked](#) the law from taking effect while the court determines whether it’s constitutional. The case is pending. Meantime, Gov. Mike DeWine said [after winning the May 3 gubernatorial primary](#) that if the U.S. Supreme Court overturns Roe v. Wade, he’ll ask Ohio Attorney General Dave Yost to go to court and request the judge stop blocking the law.

**Budget amendment:** Lawmakers sent the largest sum yet to crisis pregnancy centers -- \$7.5 million – from TANF funds.

## 2020

---

**SB 27:** Aborted remains must be buried or cremated. Health care workers must offer women the choice of burial or cremation and are required to ask women if they have a preference for the remains’ final disposition. Abortion rights supporters say the law [shames women](#). A state judge [has blocked](#) the state from enforcing the law until she decides the bill’s constitutionality. The case is pending.

**HB 405:** Created a program where people seeking to adopt can get lower-cost loans than traditional bank loans to help pay for adoption. The Ohio treasurer runs the program, working with lending institutions.

**HB 206:** [Prohibited](#) telemedicine abortions, [which Planned Parenthood has said](#) are used in medication abortions to help patients who live far from clinics. A Hamilton County judge [halted enforcement](#) of the bill and the case is ongoing.

2022: These bills have been introduced but have not yet passed.

---

**SB 123** and **HB 598:** Bans all abortions, except those necessary to prevent a woman's death or prevent a substantial and irreversible impairment of a woman's major bodily function. The law would be "triggered" or go into effect if the Supreme Court overturns Roe v. Wade.

>SB 123 hasn't had a hearing since October.

>HB 598 had one hearing - during which sponsor Rep. Jean Schmidt, a Cincinnati-area Republican when asked about the lack of rape and incest exceptions, called rape an "[opportunity for the woman](#)" to help that "life" that was created. The bill is expected to get a second hearing soon.

**HB 378:** Doctors prescribing abortion-inducing drugs would have to provide information about how the abortion can be stopped if the woman changes her mind. Abortion opponents call it "[abortion reversal](#)." Abortion rights activists say the recommended method to halt an abortion -- prescribing large amounts of progesterone after the woman has taken the first abortion pill in the two-pill regimen -- is not scientifically proven. The [American College of Gynecologists and Obstetricians says](#) there isn't strong enough medical evidence to support prescribing progesterone to stop an abortion and that the research wasn't conducted ethically. The method could be dangerous for women, it says.

