
Planned Parenthood Empire State Acts

**MEMORANDUM OF SUPPORT
A 1748 (Glick) / S 2796 (Krueger)
The Reproductive Health Act
2018**

AN ACT to amend the public health law, in relation to enacting the reproductive health act and revising existing provisions of law regarding abortion; to amend the penal law, the criminal procedure law, the county law and the judiciary law, in relation to abortion; to repeal certain provisions of the public health law relating to abortion; to repeal certain provisions of the education law relating to the sale of contraceptives; and to repeal certain provisions of the penal law relating to abortion.

The Reproductive Health Act (RHA) guarantees an individual's right to make personal, private decisions about their reproductive health care. In the face of unprecedented attacks on reproductive rights, New York's laws need to be strengthened to protect New Yorkers' health and safety.

The RHA will repeal the penal code provisions containing New York's abortion statute, and appropriately place laws related to the regulation of abortion in the public health code. The State would continue to regulate abortion in the same way it regulates other medical services. Consistent with *Roe v. Wade*, this legislation would allow abortion in the absence of fetal viability and, after that, only if there is a threat to the woman's health or life.

In 1970, New York was one of the first states in the nation to permit safe and legal abortions, greatly reducing maternal morbidity and mortality. While the law was groundbreaking at the time, it needs to be updated to ensure that an individual can have an abortion if their health is endangered after 24 weeks of pregnancy and that providers are not punished for providing health care services. The RHA will strengthen New York law and ensure that the state continues to protect and respect women's health and their constitutional right to make personal, private reproductive health care decisions and access care within the framework of *Roe v. Wade*.

The RHA has been the subject of much misinformation. This legislation will not force any hospital or individual to provide abortion, it will not allow unqualified persons to provide abortion, and it will not prevent the state from regulating abortion to ensure its safety.

Because our current law does not explicitly allow for constitutionally protected care late in pregnancy when a woman's health is at risk or a fetus is not viable, critically ill pregnant patients are forced to leave the state to get the care they need. Our laws must allow women and their health care providers to make decisions free from criminal sanctions. The RHA clearly repeals outdated and unconstitutional criminal prohibitions on abortion and moves the regulation of abortion out of the penal code and into the public health law where it belongs.

Planned Parenthood Empire State Acts strongly supports this legislation designed to protect the fundamental right of individuals to make personal, private reproductive health care decisions.