

News

New law goes into effect Sept. 15; Procedures to be banned at zero weeks

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Gov. Eric Holcomb signed a near total ban on abortion in Indiana on Aug. 5.

Here's what you need to know:

When the ban goes into effect

The ban will go into effect on Sept. 15. The law makes Indiana the first state to pass legislation of its kind in a special session since the U.S. Supreme Court overturned *Roe v. Wade*.

How abortion is banned

The bill bans abortion at zero weeks, with narrow exceptions for rape, incest, fatal fetal abnormalities, plus the life and health of the mother.

Here are the exceptions

Victims of rape and incest have up until 10 weeks in their pregnancies to get an abortion. Abortions are also permitted when the long-term health and life of the mother are at risk, as well as for fatal fetal abnormalities.

Planned Parenthood can't

offer abortions

The law terminates the licensure of abortion clinics, meaning the procedure will only be performed at hospitals and ambulatory outpatient surgical centers owned by hospitals.

Currently, 98% of abortions in Indiana take place in abortion clinics.

Last year, only six hospitals in the state performed abortions of any kind and only one of those – Deaconess Hospital in Evansville – was located outside of Indianapolis.

Planned Parenthood plans to keep open its 11 facilities would open in the state. Only four of its centers currently offer abortion procedures, while all locations offer comprehensive reproductive health care services, a Planned Parenthood official said.

Doctors can be sent to jail

It's a level 5 felony for a physician to perform an illegal abortion. That means an abortion provider could face 1 to 6 years in prison and a fine of up to \$10,000 under the amended bill.

There are no criminal penalties for women who receive abortions.

Increased power for attorney general was removed

The House nixed a provision the Senate wanted that would have granted the attorney general the ability to prosecute abortion and other crimes in counties in which a prosecutor refuses to prosecute.

Marion County Prosecutor Ryan Mears announced in June his office would not prosecute abortion-related cases if Republicans in the state legislature criminalized the procedure.

Instead, the House added the creation of a task force to study instances where prosecutors make "a blanket refusal" to enforce certain laws. Such abortion-related cases do not appear to be common.

Here's how the House

and Senate voted

The Indiana Senate voted 26-20 on July 30. The Indiana House amended the bill and voted 62-38 on Aug. 5. The Senate voted 28-19 Aug. 5 to accept those changes and to send the bill to the governor.

Republicans in both chambers attempted to remove exceptions for rape and incest but failed.

Gov. Holcomb's reaction

Gov. Eric Holcomb announced Aug. 5 that he had signed Senate Bill 1 within an hour of its passage, capping a marathon day that saw both chambers pass the bill.

"Following the overturning of Roe, I stated clearly that I would be willing to support legislation that made progress in protecting life," Holcomb said in a statement at the time. "In my view, SEA 1 accomplishes this goal following its passage in both chambers of the Indiana General Assembly with a solid majority of support."

White House reaction

The White House condemned the legislation the day after Holcomb signed the bill into law.

In a statement to the media, White House Press Secretary Karine Jean-Pierre called Indiana's ban another radical step taken by Republican lawmakers to curb women's constitutionally-protected right to abortion and to put health care decisions in the hands of politicians rather than physicians. Jean-Pierre said President Joe Biden is dedicated to protecting women's reproductive rights and, until Congress acts, will be taking action.

She did not specify what action.

The General Assembly

added \$75M for services

Social services programs for expectant mothers and children are wrapped into the bill.

The bill includes:

\$45 million to establish Hoosier Family Fund, which will distribute funds through the Department of Health and Department of Homeland Security

\$2 million to Real Alternatives, a crisis pregnancy center

\$10 million to expand the Nurse Family Partnership program

More than \$5 million to the Safety PIN grant fund

\$10 million to Child Care and Development Fund voucher program

IndyStar archives contributed to this report.

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Inside

James Briggs writes about the new Republican war over abortion. 5A

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