

SB 9 6wk Ban (M. Castlen)

This extreme legislation could make almost all safe, legal abortions illegal in Kentucky

SB 9 would require a test to detect fetal heart tones before an abortion is performed and if one is detected, a woman could not have an abortion, except in very narrow circumstances such as preserving the life of the mother

This dangerous bill could prevent Kentuckians from getting abortions as early as six weeks into a pregnancy—before most people know that they are pregnant—and lays the groundwork for making Kentucky one of the most hostile states to reproductive rights in the nation.

- This bill could take away a Kentuckian's right to make their own medical decisions before they would have known they had a decision to make. The goal of supporters of this legislation is to eliminate all safe and legal abortion in Kentucky and the bring a case to the U.S. Supreme Court to directly challenge Roe v. Wade.
- [7 in 10 Americans support access to safe, legal abortion.](#)* There is no room in the Commonwealth for this unfavorable and draconian approach to reproductive health care.

SB 9 simply goes too far.

- The proposed bill would ban all abortion in the state with extremely limited exception once a pregnancy has a fetal heartbeat—even for survivors of rape and incest.
- This bill could criminalize a doctor who provides the care that a Kentuckian needs and would be subject to prosecution and civil lawsuits.

This type of ban has been struck down as unconstitutional in every state where it has been passed into law, and is one of several aimed at restricting access to safe and legal abortion in Kentucky.

- Nationwide, anti-abortion politicians have quietly passed nearly 400 abortion restrictions since 2011. We cannot allow those who want to put abortion completely out of reach to pass yet another law that stands in the way of Kentuckians and the care they need.
- This bill is unconstitutional. Similar measures passed in other states, (e.g. North Dakota and Arkansas) have led to costly litigation and ultimately have been struck down or blocked by the courts.
- If passed, this law will likely be challenged and struck down as unconstitutional, while Kentucky spends potentially hundreds of millions of dollars in taxpayer money to defend an unconstitutional law.
- In Ohio, a rational Republican governor has already vetoed such a measure in 2016 and 2018.

It is important that Kentuckians make their own personal, private decisions about their health and medical care!

- Our state doesn't turn to politicians for advice about mammograms, prenatal care or cancer treatments. Politicians **should not** be involved in personal medical decisions about pregnancy. Abortion is a deeply personal and often complex decision. The decision to choose adoption, end a pregnancy, or to raise a child should be a private decision made in counsel with doctors, family, and their faith. It is important that abortion remains a safe and legal medical procedure in Kentucky.

<http://www.pewresearch.org/fact-tank/2017/01/03/about-seven-in-ten-americans-oppose-overturning-roe-v-wade/>

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DRAFT QUOTE FOR MEDIA (political emphasis in election year): “Kentucky has become ground zero for anti-reproductive rights legislation aimed at overturning Roe v. Wade – and this bill is no different. The political climate in Kentucky doesn’t match the reality of mainstream America. National polls show 7 in 10 Americans support Roe v. Wade, while only 3 in 10 want to see it overturned. In a state where an evangelical governor rules the roost, all manner of unconstitutional bills are expected. This year will be no different. As the sponsoring legislator notes – he doesn’t care what it may cost Kentucky taxpayers for a protracted legal challenge.”

DRAFT QUOTE FOR MEDIA (health & patient care emphasis): “Politicians should not be involved in personal medical decisions about pregnancy. We don’t turn to politicians for advice about mammograms, prenatal care, contraception or cancer treatment for abnormal pap tests. Abortion is a deeply personal and often complex decision. The decision to choose adoption, end a pregnancy, or to raise a child should be a private decision made in counsel with doctors, family, and their faith. It is vital that abortion remains a safe and legal medical procedure in Kentucky.”

CHECK STATE MEDICAL ASSN for felony on performing physicians

<http://www.lrc.ky.gov/record/19RS/prefiled/BR823.htm>

Check felony provision

<https://thehill.com/homenews/state-watch/421398-bill-proposed-in-kentucky-would-make-abortion-a-felony>