

# News From The States

## REPRODUCTIVE RIGHTS TODAY

Thanks for being here and [supporting our work](#).



By [Elisha Brown](#)



*Sarah Brown, a Birmingham resident and in vitro fertilization patient, holds a sign saying "I'm Here Because of IVF" at the Alabama Statehouse on Feb. 28, 2024 in Montgomery, Alabama.*

*(Brian Lyman/Alabama Reflector)*

Alabama Gov. Kay Ivey signed a bill into law Wednesday night aimed at resuming in vitro fertilization services in the state. Her signature came shortly after lawmakers quickly passed a bill to safeguard IVF access in the wake of the state Supreme Court's ruling that said embryos are "children," [Alabama Reflector](#) reported.

"I am pleased to sign this important, short-term measure into law so that couples in Alabama hoping and praying to be parents can grow their families through IVF," Ivey, a Republican, said in a [statement](#).

Republican Rep. Terri Collins' [bill](#) **gives IVF providers civil and criminal immunity for death or damage to embryos**. The law is effective immediately. GOP Sen. Tim Melson sponsored the Senate version of the [legislation](#).

"I truly hope and believe that the clinics will open back, that this is going to provide the immunity that they need to continue doing the process with these families," Collins said after the bill's passage.

Less than three weeks ago, the **Alabama Supreme Court** [ruled](#) that frozen embryos are "unborn children." Three couples who sued the Center for Reproductive Medicine over the loss of frozen embryos sought damages under the Wrongful Death of a Child Act. A lower court dismissed the case on the grounds that embryos are property, not people.

But the majority of justices disagreed. Justice Jay Mitchell, who wrote the lead [opinion](#), cited the constitutional amendment Alabama voters approved in 2022 that said the state must protect "the rights of the unborn children in all manners and measures lawful and appropriate." ([Sarah Stewart](#), an associate justice who voted in favor of the plaintiffs, just won the Republican nomination for Alabama chief justice, the Reflector reported on Tuesday.)

The ruling also pointed to parts of the U.S. Supreme Court's *Dobbs v. Jackson Women's Health Organization* decision — the court overturned the federal right to an abortion in June 2022 — to back its argument. Justice Greg Cook dissented and pressed lawmakers to weigh in on the issue.

### **National furor ensued and infertility clinics across the state suspended services, forcing Alabama lawmakers to rush to draft legislation to protect IVF.**

Across the South, legislators in states controlled by Republicans — [Georgia](#), [Kentucky](#) and [South Carolina](#), for example — introduced bills to protect access to assisted reproductive technology. Those proposals haven't gained much traction, though. A protective measure already failed in [Tennessee](#).

Some Democratic House members suggested Alabama lawmakers acted with expediency because "the Supreme Court ruling is largely affecting people who can afford to pay for the expensive fertility treatment," the Reflector reported.

"Because essentially, if you are rich, and you have the resources, you can do things that IVF clinics that poor people can't do in an abortion clinic," Democratic Rep. Chris England said, noting there is unequal access to reproductive care.

**The Alabama ruling factored in the race for the presidency**, which was shaping up Wednesday to be a rematch of President Joe Biden and former President [Donald Trump](#).

Trump — responsible for nominating three judges to the Supreme Court who voted to overturn *Roe v. Wade* — pushed Alabama officials to protect access to in vitro fertilization. "The Republican Party should always be on the side of the Miracle of Life – and the side of Mothers, Fathers, and their Beautiful Babies. IVF is an important part of that," he said on social media last month.

The Biden administration tied the ruling to Roe's upheaval. "Consider the irony – on one hand these extremists tell women they do not have the freedom to end an unwanted pregnancy," Vice President [Kamala Harris](#) said during a Sunday stop in Alabama. "On the other hand, these extremists tell these women they don't have the freedom to start a family."

**THE BEAT** *States Newsroom coverage*

## South Carolina abortion rights advocates launch symbolic 'repeal the ban' petition



*Abortion access advocates announced a petition calling on South Carolina lawmakers to "Repeal the Ban" on most abortions after six weeks outside the statehouse on Tuesday.  
(Abraham Kenmore/SC Daily Gazette)*

Only lawmakers, not citizens, can ask voters to change the South Carolina Constitution. But that hasn't stopped reproductive rights advocates from launching a petition against the state's **six-week abortion ban**, [SC Daily Gazette](#) reported.

The effort is backed by several groups, including Palmetto State Abortion Fund and the League of Women Voters. **Advocates acknowledge the petition signatures will carry no legal weight.** Still, they hope to show the results to the Republican-controlled legislature to demonstrate public support for abortion rights.

For their part, **anti-abortion groups want more restrictions.** "I believe that most South Carolinians support a limitation on abortion with exceptions," Holly Gatling, director of South

Carolina Citizens for Life, told the Gazette. A [poll](#) released by Winthrop University last May found that 37% of respondents support the six-week ban, while 43% opposed the restriction, which took effect in August.

Republican Gov. **Henry McMaster's attempt to stop Medicaid patients from using Planned Parenthood for non-abortion related health care failed again:** The 4th U.S. Circuit Court of Appeals in Richmond, Virginia, rejected his latest request on Tuesday. "This case marks the third time that we have been called upon to resolve the same legal issue," the judges wrote.

---

## Colorado 'fetal personhood' bill dies after heated testimony

A Republican-backed bid to give fetuses "personhood" status from [conception](#) died in a Colorado House committee Monday after hours of testimony. **Rep. Scott Bottoms' bill would have banned abortion and jeopardized access to IVF**, [Colorado Newswire](#) reported. Democrats universally condemned the proposal.

Democratic Rep. Andrew Boesenecker, who said his wife had an abortion to save her life, asked Bottoms why he didn't include **exemptions** in the bill's language: "My question for you is this simply, should my wife be dead, or should she be in jail?"

**Bottoms and other supporters of the bill compared abortion to mass atrocities like the Holocaust and slavery**, which the anti-abortion movement frequently [references](#). "In my opinion, that is the same thing that happened in Germany in World War II," Bottoms said.

Advocates from the state's major reproductive rights and progressive groups testified against the legislation. Audrey Hartfield, a graduate student fellow at Cobalt Advocates, said the notion of "fetal personhood" is not rooted in medicine, science or fact. Hartfield also said the **Democratic-controlled legislature has voted down 14 other attempts to ban abortion**.

---

## Michigan lawmakers weigh expanding birth control access





*Dr. Sarah Wallett, chief medical operating officer for Planned Parenthood of Michigan, supports legislation that would allow pharmacists to prescribe contraception.  
(Anna Liz Nichols/Michigan Advance)*

Providers are urging Michigan legislators to let pharmacists write prescriptions for contraceptives and allow insurers to cover yearly supplies of birth control, [Michigan Advance](#) reported. Democratic Rep. Kara Hope said **the proposals could make it easier for people in rural and urban areas to access contraception.**

“Patients who live in a community without a health center or who face transportation barriers may find obtaining contraception through the support of a pharmacist, many of whom are trusted in their community, to be more accessible, especially if they don’t have a primary care provider or insurance coverage,” said Dr. Sarah Wallett, chief medical operating officer at Planned Parenthood Michigan.

Under the legislation, pharmacists would have to get special training to prescribe birth control. More than half of states already allow pharmacists to prescribe contraceptives, according to the [Guttmacher Institute](#).

#### **THE PULL** *Commentary from Montana*

“I am not writing an article supporting or opposing abortion. This is about being thoughtful and compassionate in upholding the laws of the land. We write rules and laws to make things clear and fair, but it is impossible to write a rule or law that solves every problem fairly, so, we allow exceptions to the rules to cover difficult situations. We do that, realizing that not every—maybe no—rule is in itself fair.



Open this interactive map in your browser

Track state-level developments on reproductive rights anytime at [News From The States](#).  
Send tips and thoughts to [ebrown@statesnewsroom.com](mailto:ebrown@statesnewsroom.com), and follow her on X  
[@elishacbrown](#).

---

---

©News From The States, all rights reserved.

[www.newsfromthestates.com](http://www.newsfromthestates.com) | [info@newsfromthestates.com](mailto:info@newsfromthestates.com)

Manage your donation and subscription preferences [here](#).

Add [info@newsfromthestates.com](mailto:info@newsfromthestates.com) to your [address book](#) to ensure delivery.

Did someone forward you this newsletter? [Click here](#) to get it delivered to your inbox.

News From The States is a part of [States Newsroom](#), the nation's largest nonprofit news organization  
dedicated to state coverage, with reporting from every state capital.

States Newsroom – News From The States

1414 Raleigh Rd #127

Chapel Hill, NC 27517

United States

You are receiving this email because you opted in via our website or States Newsroom. If you believe you  
received this message in error or wish to change your subscription, please (Unsubscribing is not  
supported in previews).