

Timeline Of Abortion Restrictions In North Carolina

1881

Criminalizing providing abortion care or assisting with a self-managed abortion.

[N.C. Gen. Stat. § 14-44, 14-45](#)
[N.C. S.L. 1881-351.](#)

1967

Adding an exception to the crime for abortions performed by a doctor in a hospital when there is substantial risk to the health or life of the pregnant person, risk of grave physical or mental disability for the fetus, or in cases of reported rape or incest.

[N.C. Sess. Law 1967-367 \(S.B. 104\)](#)

1971

Amending prior restrictions, and requiring all abortions to be reported to the State Board of Health.

[N.C. Sess. Law 1971-383 \(H.B. 626\)](#)

1973

U.S. Supreme Court's *Roe v. Wade* decision guarantees an individual's right to access abortion.

1973

Creating exception to G.S 14-44 and GS. 14-45 by permitting abortions up to 20 weeks of pregnancy performed by physicians in a hospital or at a certified clinic. Allowing abortions after the twentieth week of pregnancy only if there is substantial risk to the life or health of the pregnant person.

[N.C. Gen. Stat. §14-45.1\(a\)\(b\) \(1973\)](#), [NC S.L. 1973-711 \(HB 615\)](#).

*In 2019, a federal court expanded access from 20 weeks to viability under this statute.

1973

Allowing medical personnel to refuse to participate in medical procedures that may result in an abortion. N.C. Gen. Stat. §14-45.1(e) (amended 2015). Requiring providers to send information about the emergency to the North Carolina Department of Health and Human Services.

[N.C. Gen. Stat. § 14-44, 14-45](#)
[N.C. S.L. 1881-351.](#)

1978

Establishing the state abortion fund.

[10 N.C. Admin. Code §§ 71.0101-71.0104 \(1978\)](#).

1977

Felony for secretly disposing of or burying a dead fetus or baby.

[N.C. Gen. Stat. 14-46 \(amended 2016\)](#)

1979

Revising sentencing throughout the criminal code, establishing a Class H felony for violation of G.S. 14-44 and a class I felony for G.S. 14-45.

[N.C. S.L. 1979-760 \(SB 560\)](#).

1981

Mandating that no state funds can be used to cover abortion care.

[S.L. 1981-1127, § 35 \(H.B. 1392\)](#), [1981-1282, § 21 \(H.B. 61\)](#).

1985

Further restricting use of state funds towards abortions within the first 112 days of pregnancy (approximately 3 ½ months).

[S.L. 1989-1066, § 79, \(S.B. 1426\)](#)

Permitting limited state funding for abortion care, but only in cases of fetal abnormalities, rape, incest, when the pregnant individual has a developmental disability, is a minor, or their life is in danger.

[S.L. 1985-479, § 93\(1\), \(S.B.1\)](#)

1995

Requiring parental consent for abortion care, which applies except in medical emergencies, or when a young person obtains a court order allowing them to bypass parental consent in some narrow circumstances. Class 1 for misdemeanor for doctor who performs an abortion for a minor in violation of consent law.

[NC Sess. Law 1995-462 § 90-21.6-90-21.10 \(H.B. 481\)](#)

1995

Further limiting state funds for abortion to cover those who are not eligible for Medicaid, below the poverty line, the victim of rape or incest, or the pregnancy endangers their life.

[NC Sess. Law 1995-507 § 23.8A \(H.B. 230\)](#).

2006

The state abortion fund is repealed.

[N.C. Gen. Stat. § § 143-16.6 to 143-23.](#)

2011-2012

"Woman's Right to Know Act" enacts wide-ranging restrictions on abortion access, N.C. Gen. Stat. § 90-21.82(1)(e) (2011), including:

- Mandatory 24-hour waiting period
- State-mandated counseling for individuals seeking an abortion.
- Private right of action to sue abortion providers who have allegedly failed to follow the "Woman's Right to Know Act."
- Forced ultrasounds must be performed four hours before a woman can have an abortion (except in emergencies) and the individual is required to view the ultrasound images. Abortion providers are required to explain location and dimensions of the fetus; provide a medical description of the images; and offer to listen to the fetal heart tone. This requirement was struck down as unconstitutional in *Stuart v. Huff*, 834 F. Supp. 2d 424 (M.D.N.C. 2011)

2011-2012

Separate bill bans state funds for abortions and prohibiting government health plans and insurance policies from covering abortion, except in cases of incest, rape, or if the pregnant person's life would be endangered by carrying the pregnancy to term. N.C. Gen. Stat. § 143C-6-5.5 (2011).

2013-2014

Prohibiting Affordable Care Act health insurance plans offered in the state from including abortion coverage (exceptions made for rape, incest, and if life of the individual is endangered by physical disorder, illness, injury, including any physical conditions arising from the pregnancy).

[N.C. Gen Stat. § 58-51-63 \(2013\)](#).

2013-2014

Ban on state and local government insurance plans covering abortion (with some exceptions made for cases of rape, incest, or the person's life being at risk).

[N.C. Gen. Stat. §§153A-92, 160A-162 \(2013\)](#).

2013-2014

Prohibiting "sex-selective" abortions.

[N.C. Gen. Stat. § 90-21.121 \(2013\)](#).

2013-2014

Expanding "conscience clause" for medical professionals and hospitals, allowing any provider who states "an objection to abortion on moral, ethical, or religious grounds" to refuse to perform or participate in any procedures that result in an abortion.

[N.C. Gen. Stat. § 14-45.1\(e\) \(2013\)](#).

2013-2014

Expanding regulation of abortion clinics, including mandating at least annual inspections by the North Carolina Department of Health and Human Services (DHHS) and requiring that clinics seek transfer agreements with local hospitals.

[N.C. Gen. Stat. § 14-45.1\(e\) \(2013\)](#),

[N.C. Sess. Law 2013-366, § 4\(a\) \(S.B. 353\)](#).

2015-2016

"Women and Children's Protection Act," N.C. Gen. Stat. § 90-21.82 (2015), further hinders abortion access by:

- Extending the waiting period for people seeking an abortion from 24 hours to 72 hours.
- Requiring doctors to send the ultrasounds of people who have had an abortion after 16 weeks of pregnancy to NC DHHS for stockpiling.
- Requiring NC DHHS to collect annual reports on "medical and demographic characteristics of abortions."
- Barring anyone under 18 from working at a clinic where abortions are performed (except hospitals).

[N.C. Gen. Stat. § 14-45.1 \(2015\)](#).

2017-2021

In 2019, the federal district court, later affirmed by the Fourth Circuit Court of Appeals, enjoined the 20-week ban in G.S. 14-45.1(a), requiring access to abortion up to viability.

[Bryant v. Woodall](#), 363 F. Supp. 3d 611 (M.D.N.C. 2019), *aff'd* 1 F.4th 280 (4th Cir. 2021), *as amended* (June 23, 2021).

2017-2021

In 2019 (S.B. 359) and 2021 (H.B. 453), bills were passed to restrict abortion and they were vetoed by Governor Roy Cooper.

2022

On June 24, 2022, the U.S. Supreme Court overturned *Roe v. Wade* in the *Dobbs v. Jackson Women's Health Organization* decision.