

“Referred Law 6” rejected 56% to 44%
South Dakota Abortion Law Defeated

BY Dave Andrusko

A South Dakota abortion law that would have banned abortion unless necessary to prevent the death of the mother was defeated in a referendum November 7.

The legislation actually passed last March and was signed into law by Gov. Mike Rounds. However, state law allows citizens to enact or repeal legislation via ballot. Opponents secured enough signatures to have the law placed on the ballot and “Referred Law 6”—as the law was called on the ballot—lost 56% to 44%.

National Right to Life and its state affiliate South Dakota Right to Life both urged South Dakota voters to vote in favor of the abortion ban. National Right to Life ran radio ads, printed literature for distribution, and mailed its members urging that the ban be upheld in the referendum.

Polling done during the long months of debate and discussion backed the conclusion that it was the absence of explicit exceptions for rape and incest that apparently doomed the law.

A poll published October 29 by the Sioux Falls Argus-Leader contained results very close to the final numbers but gave clear evidence that there would have been a sizeable majority for a ban, if there had been a clear rape and incest exception.

The statewide poll found that 52% of voters would vote to reject the law and 42% would vote to retain the law.

However, that same poll revealed that “56 percent of those who said they would vote against the ban or were undecided said they would vote for the ban if it had a clear exception for rape and incest, while 32 percent said no and 12 percent were undecided,” according to the Argus-Leader.