These laws protect unborn babies from being aborted on account of their sex, race, and/or disability. Sex-selection abortion is a form of prenatal discrimination that wages a war, typically on unborn baby girls. In April 2013, a poll taken by The Polling Company found that 85% of respondents supported banning sex selection abortions. Currently seventeen (17) states have enacted laws protecting unborn children from discrimination based on their sex, race, and/or disability.

State Laws (in order of enactment)
1. Illinois - 1975*
2. Penn. - 1982
3. Oklahoma - 2010
4. Arizona - 2011
5. N. Dakota - 2013
6. Kansas - 2013
7. N. Carolina - 2013
8. S. Dakota - 2014
9. Indiana - 2016**
10. Louisiana – 2016**
11. Ohio** - 2017
15. Missouri** (2019)
16. Mississippi (2020)
17. Tennessee** (2020)

*“Enjoined only to extent that it subjects physicians to criminal liability for performing certain pre-viability abortions.” Per consent decree, 1993
**Enjoined, pending litigation
## Anti-Discrimination Abortion Bans

**July 27, 2020**

<table>
<thead>
<tr>
<th>STATE</th>
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<tr>
<td>Arizona (2011) A.R.S. § 13-3603.02</td>
<td>Cannot discriminate based on sex or race.</td>
<td>In effect. This law was challenged, but the 9th Circuit Court of Appeals dismissed the challenge.</td>
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<td>Arkansas (2019) To be codified as: Ark. Code Ann. §§ 20-16-2101 to 20-16-2107</td>
<td>Cannot discriminate based on a Down syndrome diagnosis. Exceptions include life/health of the mother, rape and/or incest. Also, should the act be held invalid with respect to pre-viable unborn children, the law will then apply to post viable babies.</td>
<td>Not in effect. Temporary restraining order issued in, Little Rock Family Planning Servs. v. Rutledge, 398 F. Supp. 3d 330 (E.D. Ark. 2019).</td>
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<tr>
<td>Illinois (1975) 720 ILCS 510/6 (8)</td>
<td>Cannot discriminate based on sex.</td>
<td>A 1993 consent agreement declared the law only enforceable on viable unborn children.</td>
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<tr>
<td>Indiana (2016) Burns Ind. Code Ann. § 16-34-4</td>
<td>Cannot discriminate based on race, color, national origin, ancestry, sex, or diagnosis or potential diagnoses of Down syndrome or other disability.</td>
<td>Not in effect. Declared unconstitutional in Planned Parenthood of Ind. &amp; Ky., Inc. v. Comm'r of the Ind. State Dep't of Health, No. 17-3163, 2018 U.S. App. LEXIS 9883 (7th Cir. Apr. 19, 2018). The United States Supreme Court declined to hear this section of the challenge and it remains unenforceable.</td>
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| **Louisiana** (2016)  
La. Rev. Stat. Ann. § 40:1061.1.1 | Cannot discriminate on babies greater than 20 weeks post-fertilization age based on diagnosis or potential diagnoses. Cannot discriminate on babies less than 20 weeks post-fertilization based on diagnosis or potential diagnoses unless the abortionist provides the mother with information on resources and services. Directs the Department of Health and Hospitals to produce information on services and resources on their website. | Not in effect. State stipulated not to enforce the law pending challenge. |
| **Mississippi** (2020)  
Life Equality Act of 2020., 2020  
Bill Text MS H.B. 1295 | Cannot discriminate based on sex, race, or presence or presumed presence of a “genetic abnormality”. | Signed by Governor July 1, 2020. Effective immediately. |
| **Missouri** (2019)  
| **North Carolina** (2013)  
| **North Dakota** (2013)  
N.D. Cent. Code, § 14-02.1-04.1 | Cannot discriminate based on sex or diagnosis or potential diagnoses of a “genetic abnormality”. | In effect. |
| **Ohio** (2017)  
| **Oklahoma** (2010)  
63 Okl. St. § 1-731.2 | Cannot discriminate based on sex. | In effect. |
| **Pennsylvania** (1982)  
18 Pa.C.S. § 3204 (c) | Cannot discriminate based on sex. | In effect. |
| **South Dakota** (2014)  
S.D. Codified Laws § 34-23A-63-64 | Cannot discriminate based on sex. | In effect. |
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| **Tennessee** (2020)  
| **Utah** (2019)  
To be codified as: Utah Code Ann. §76-7-302.4 | Cannot discriminate based on a diagnosis or potential diagnosis of Down syndrome. | Effective May 14, 2019. |