

# HOW PA PAVED THE WAY FOR ABORTION RESTRICTIONS IN THE U.S.

## Key Legislation

Abortion access in the U.S. is protected by 2 landmark Supreme Court (SCOTUS) decisions:

- *Roe v. Wade* (1973)
- *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992)

## So what happened in *Planned Parenthood v. Casey*?

The lawsuit came in response to a number of provisions the PA legislature had put on abortion access: 24 hour waiting period, informed consent, parental consent for a minor to receive an abortion (or, judicial bypass), AND a married woman needed to notify her husband (or, say she had).

- While *Planned Parenthood v. Casey* upheld the legal right to abortion access, it also upheld PA's right to enact provisions on abortion.
- SCOTUS ruled that restrictions on abortion were legal, so long as they didn't cause 'undue burden'.
- This decision set legal precedent for other states to enact abortion restrictions.



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## What is the status of abortion restriction in PA today?

- The restrictions central to *Planned Parenthood v. Casey* remain in place today, all except the requirement to notify husbands, which SCOTUS classified as undue burden.
- Abortion is still legal in PA, and the state does not have [trigger laws](#) that would restrict abortion access if Roe were overturned.
- That doesn't mean that it's easy to get an abortion in PA. To read more about current abortion restrictions (which were last updated in April 2017) see [here](#).

## What happens in PA if *Roe* is overturned?

- Legal experts contend that abortion will remain much the same as it currently stands in PA, even if *Roe* is overturned. However, if *Roe* is overturned, the only legal protection for abortion comes from PA's governor.
- If a Republican candidate wins the next gubernatorial election, abortion could become illegal in PA.
- Republican-proposed Senate Bill 956 (#SB956) threatens to amend the PA constitution to allow extreme regulation of sexual and reproductive healthcare (including abortion).
- Most immediately, if *Roe* were overturned, we'd expect to see a big uptake in folks traveling from states like Ohio and West Virginia to receive abortion care in PA.