

ACLU Sues Ohio Officials Over Abortion Restrictions in Budget

The American Civil Liberties Union of Ohio filed a lawsuit against state officials on Wednesday over abortion restrictions in the state's budget law.

The ACLU of Ohio challenged three abortion-related amendments passed in June as part of the state budget. The lawsuit, filed in Cuyahoga County on behalf of Preterm-Cleveland, Inc—a Cleveland women's health clinic that provides contraception and abortion services—contends that the amendments violate the Ohio Constitution's "single subject" rule.

"To put it simply, none of these amendments have any place in the state budget bill," said Susan Scheutzow, ACLU cooperating attorney. She said the subject of the two-year, \$62 billion state budget law was appropriation of funds for existing government programs and obligations.

ACLU cooperating attorney Jessie Hill called the amendments "highly controversial social legislation that were snuck into a must-pass budget bill in the eleventh hour without public debate or input."

One of the amendments bars abortion clinics from making agreements to move women needing emergency care to public hospitals. This amendment is threatening closure of Capital Care, the only abortion clinic in the city of Toledo, because its transfer agreement with a public hospital expired in July and under the new law the clinic cannot renew it.

The other amendments require clinics to present patients with evidence of a fetal heartbeat before performing abortions and create a new "parenting and pregnancy" program to give state

money to private groups that are forbidden to discuss abortion services, the ACLU said.

The ACLU said the first two amendments have nothing to do with budget appropriations—while the third creates and funds a new government program, something that requires stand-alone legislation.

The suit names Gov. John R. Kasich, a Republican who signed the budget bill; the state of Ohio; and Theodore Wymyslo, director of Ohio Department of Health, among others.

Spokesmen for Kasich and the health department said they had no comment on the litigation.

Health Department spokesman Robert Jennings said that the Capital Care Network of Toledo has requested an administrative hearing on its licensing case and is currently still operating.

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