

States Execute Abortion Bans Despite Determined and Chaotic Legal Opposition

Florida's 15-week abortion ban is now in effect after a court order blocking its enforcement was put on hold this week while Attorney General Ashley Moody swiftly appealed it.

Planned Parenthood and others previously requested that Leon County Circuit Court Judge John Cooper block the 15-week ban, known as HB 5, (which includes exceptions but not in cases of rape, incest or human trafficking) from taking effect, arguing the state constitution guarantees access to abortion. Judge Cooper ruled that the ban violates privacy protections in the state constitution. But that ruling was put on hold as soon as it was appealed.

Florida previously allowed abortions up to 24 weeks.

In Mississippi, where the *Dobbs v. Jackson Women's Health Organization* overturned *Roe v. Wade* and *Planned Parenthood v. Casey* on June 24, a judge declined to block the abortion ban. Jackson Women's Health Organization, the state's only abortion facility, has now closed.

Mississippi is one of at least 13 states with "trigger" laws designed to ban or restrict abortions once the Supreme Court overturned *Roe v. Wade*, as it did in a case upholding a different Mississippi law barring abortions after 15 weeks of pregnancy. Other states have pre-*Roe* laws that remain on the books and will come back into effect now that *Roe* has been overturned.

While judges in Kentucky, Louisiana and Utah have temporarily blocked bans from taking effect, the state high court in Texas has allowed a pre-*Roe* ban to go into effect, and Ohio's top

court declined to block the heartbeat bill, which bans abortion when a heartbeat is detected, usually around six weeks.

As of the start of June, nine states have pre-*Roe* abortion bans in place: Alabama, Arizona, Arkansas, Michigan, Mississippi, Oklahoma, Texas, West Virginia and Wisconsin. Thirteen have trigger laws: Arkansas, Idaho, Kentucky, Louisiana, Mississippi, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah and Wyoming. Four have passed an amendment declaring their state constitution does not secure or protect a right to abortion or allow use of public funds: Alabama, Louisiana, Tennessee and West Virginia. Kansas will have a similar state constitutional amendment on the ballot later this year.

According to a recent report by Guttmacher Institute, over 930,000 abortions were performed in the United States in 2020, an 8% increase from 862,320 abortions in 2017. That means in 2020, one in five pregnancies ended due to abortion and 54% of those were attributed to chemical abortions. Chemical abortions are now more accessible after the Food and Drug Administration permanently lifted the in-person dispensing requirement for abortion pills in 2021 following a temporary lifting during the COVID-19 pandemic.

Liberty Counsel's founder and chairman Mat Staver said, "In light of the historic win overturning *Roe v. Wade* at the Supreme Court, the fight to protect human life has only begun. This is an historic opportunity to protect human life and stop the brutal dismemberment of helpless children. America needs to be a safe sanctuary to protect all human life no matter their stage in life or circumstances."

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