



Testimony of the ACLU of Kansas and Western Missouri In Opposition to HB 2324

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By

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Thank you Chairman Siegfried, and members of the committee, for the opportunity to testify in opposition to HB 2324. The ACLU opposes HB 2324 as it is harmful, extreme, and out of touch. Assuming North Dakota does not sign a “heartbeat ban” into law in the next 24 hours, Kansas HB 2324 would be the most extreme abortion restriction bill in the country.

Every pregnancy is different and we cannot presume to know all the circumstances surrounding a personal, medical decision to have an abortion. The U.S. Supreme Court has recognized that the Constitution protects a woman’s ability make that decision. The Court specifically held that: (1) a state may not ban abortion prior to fetal viability; and (2) a state may ban abortion after viability so long as there are exceptions to protect the woman’s health and life. *Roe v. Wade*, 410 U.S. 113, 163-64 (1973). These principles have been repeatedly reaffirmed, as well they should: A woman shouldn’t be denied basic health care or the ability to make the best decision for her circumstances because some politicians disagree with her decision.

Because of the inherently private nature of her decision, the Supreme Court has recognized that a woman should “be free from unwarranted governmental intrusion” when deciding whether to continue or terminate a pregnancy previability. *Planned Parenthood v. Casey*, 505 U.S. 833, 851 (1992). But in conflict with the law, and without regard to women’s health, this bill takes away a woman’s decision making ability. HB 2324 is an unconstitutional ban on abortions. Defending an unconstitutional law could cost the state millions of dollars.

We may not all agree on abortion, but we can all agree that it is important to support a woman’s health and well-being. This bill would ban almost all abortions with no regard for women's individual circumstances. Doctors would be subject to criminal penalties if they provide a woman with an abortion when she needs one. This bill is wrong; it is unconstitutional and dangerous. I urge you to oppose HB 2324.