

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS45014-NJa-21

Short Title: Codify Roe and Casey Protections. (Public)

Sponsors: Senators Blue, Batch, and Hunt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CODIFY THE ESSENTIAL HOLDINGS OF ROE V. WADE AND PLANNED
3 PARENTHOOD OF SOUTHEASTERN PA V. CASEY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 90 of the General Statutes is amended by adding a new Article
6 to read:

7 "Article 1M.

8 "Codify Roe and Casey Protections.

9 **"§ 90-21.140. Short title.**

10 This Article shall be known and may be cited as "Codify Roe and Casey Protections."

11 **"§ 90-21.141. Purpose.**

12 The purpose of this Article is to codify the essential holdings of Roe v. Wade, 410 U.S. 113
13 (1973), and Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833 (1992).

14 **"§ 90-21.142. Allowable requirements.**

15 (a) The State shall not impose an undue burden on the ability of a woman to choose
16 whether or not to terminate a pregnancy before fetal viability.

17 (b) The State may do any of the following:

18 (1) Restrict the ability of a woman to choose whether or not to terminate a
19 pregnancy after fetal viability, unless such a termination is necessary to
20 preserve the life or health of the woman.

21 (2) Enact laws, rules, or regulations, as applicable, to further the health or safety
22 of a woman seeking to terminate a pregnancy.

23 (c) For the purposes of this section, the term "undue burden" means any burden that
24 places a substantial obstacle in the path of a woman seeking to terminate a pregnancy prior to
25 fetal viability.

26 (d) Nothing in this Article shall be construed to have any effect on laws regarding
27 conscience protection."

28 **SECTION 2.** There is appropriated from the General Fund to the Department of
29 Health and Human Services the nonrecurring sum of five hundred thousand dollars (\$500,000)
30 for the 2023-2024 fiscal year to fund public education efforts about birth control and pregnancy
31 prevention.

32 **SECTION 3.** Section 2 of this act becomes effective July 1, 2023. The remainder of
33 this act is effective when it becomes law.



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