

THE EFFECT OF PARENTAL INVOLVEMENT LAWS ON THE INCIDENCE OF ABORTION AMONG MINORS

by

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Summary

This comprehensive analysis of minor abortion data from nearly all 50 states between 1985 and 1999 demonstrates that state-level parental involvement laws are effective in reducing the incidence of abortion among minors. Overall, the findings indicate that when a state enacts a parental involvement law, the abortion rate falls by an average of approximately 13.6 percent.

This study is the first of its kind to compare different types of parental involvement laws. The findings indicate that more protective parental involvement laws result in even larger abortion declines. Laws that require parental consent instead of parental notification reduce the minor abortion rate by about 19 percent. Furthermore, laws that mandate the involvement of two parents, instead of just one parent, reduce the in-state minor abortion rate by approximately 31 percent.



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The overall minor abortion rate in the United States has fallen by close to fifty percent between 1985 and 1999, and this study shows that parental involvement laws are an important causal factor in this decline. Currently about 36 states have a parental involvement law on the books, but some are more effective than others in their ability to reduce the incidence of abortion. The laws that were enacted in Minnesota and Mississippi laws are among the most effective in reducing abortion rates among minors.

Introduction

During the 2008 election cycle a number of candidates for public office at national, state and local levels have expressed an interest in reducing the incidence of abortion. This paper reports on the trends in the incidence of abortion among minors, both nationally and in the states, with insights as to which policies, both nationally and at the state level, have been more effective at reducing the incidence of abortion.

Data from the Centers for Disease Control and Prevention (CDC) indicate that the number of abortions has fallen by approximately 20 percent since 1990.² However, what has received less attention is the even more dramatic decline in the incidence of abortion among minors. In 1985, there were 13.5 abortions performed on minors for every thousand girls between the ages of 13 and 17. However, by 1999 the abortion rate for minors had fallen by almost 50 percent to 6.5.³

There could be several reasons for this decline in the minor abortion rate. Several studies have found that during the 1990s teenagers became more likely to delay sexual activity and to abstain from sex altogether.⁴ A stronger economy

² This figure was calculated by the author for the 47 states reporting data in both 1990 and 2004 on the number of abortions performed.

³ This figure was calculated for the 33 states reporting data in both 1985 and 1999 on the number of abortions performed on minors.

⁴ Centers for Disease Control and Prevention, "Trends in Sexual Risk Behaviors Among High School Students--United States, 1991-2001," Centers for Disease Control and Prevention *Morbidity*

has been shown to reduce the incidence of abortion among adults⁵ and may have a similar impact on minors. However, another reason could be due to the fact that more states have been enacting parental involvement laws which are having a clear and significant effect, as this paper delineates later.

Indeed, parental involvement laws pose a unique opportunity for further reduction in the incidence of minor abortions. They enjoy widespread public support and are currently in effect in 36 states.⁶ Furthermore, legislation has been introduced at the federal level that would strengthen many of these state-level parental involvement laws. The Child Custody Protection Act in the U.S. Senate and the Child Interstate Abortion Notification Act (CIANA) in the U.S. House would make it a felony for a non-parent to take a child across state lines for the purpose of obtaining an abortion.

Despite the fact that many states have adopted parental involvement laws, there has been relatively little research on their effects. Some policy and academic studies have shown that parental involvement laws are effective at reducing the incidence of abortion among minors. However, parental involvement laws are drafted differently. Some require parental consent, others parental notification. Some require the involvement of two parents, others just one parent. Unfortunately, no study has compared the effects of these different types of parental involvement laws.

This study corrects this shortcoming in the academic and policy literature by undertaking a comprehensive analysis of the effects of the various types of state-level parental involvement laws. In particular, the study examines whether parental consent laws are more effective than parental notice laws and, furthermore, whether parental involvement laws that require the involvement of

and Mortality Weekly Report, September 27, 2002, pp. 856–859, at www.cdc.gov/MMWR/preview/mmwrhtml/mm5138a2.htm (January 22, 2007).

⁵ Rebecca Blank, Christine George, and Rebecca London, “State Abortion Rates: The Impact of Policies Providers, Politics, Demographics, and Economic Environment,” *Journal of Health Economics* 15 (1996), pp. 513-553.

⁶ *Who Decides? 2008* (Washington, D.C.: NARAL Foundation, 2008).

two parents are more effective than parental involvement laws that require the involvement of only one parent. The results provide valuable insights as to how to best design parental involvement laws so they can better protect teenage mothers – and in the process reduce the number of abortions.

Legal Background

In the years following *Roe vs. Wade*, the Supreme Court issued a number of rulings dealing with the issue of minor access to abortions. During this time the Supreme Court has ruled consistently that states can require minors either to obtain consent or to notify their parents before obtaining an abortion. However, the Supreme Court has also consistently ruled that parental involvement laws must contain a judicial bypass provision. Judicial bypass provisions are designed to give minors in abusive family situations the ability to receive permission to obtain an abortion from a judge.

In *Planned Parenthood of Missouri vs. Danforth* (1976), the Supreme Court invalidated a Missouri parental consent statute because it did not contain a judicial bypass provision. Similarly, in 1979, in *Belotti vs. Baird*, the Supreme Court invalidated a Massachusetts parental notice law because it explicitly required that the parents be notified before a judicial bypass was sought. In later years the Supreme Court became supportive of parental involvement laws that were even more protective. In 1990, in *Hodgson vs. Minnesota*, the Supreme Court upheld a two-parent parental notification statute because its bypass procedure was adequate. Also, in 1990 the Supreme Court in *Ohio vs. Akron Center for Reproductive Health* upheld an Ohio parental notice law that included a 24-hour waiting period.⁷

Despite the fact that the Supreme Court has consistently upheld the legality of parental involvement laws, adoption of these laws proved to be

⁷ John F. Merz, Catherine Jackson, and Jacob Klerman, "A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994." *Women's Rights Law Reporter*. Vol. 17, No. 1 (1995), pp. 1-61.

relatively slow at the state level. This is partly because many parental involvement laws were overturned or enjoined by either state courts or lower federal courts.⁸ As such, by 1992 only 20 states were enforcing parental involvement statutes.⁹

However, by 2000, 32 states were enforcing parental involvement laws¹⁰ and as of January 2008, 36 states had parental involvement laws in effect.¹¹ What was the cause of this increase in parental involvement laws? First, the conservative jurists appointed by President Reagan and President Bush (41) gave parental involvement laws a better chance to withstand constitutional scrutiny at the federal level. Furthermore, in 1992 the Supreme Court in *Casey vs. Planned Parenthood of Southeastern Pennsylvania* abandoned its trimester framework in favor of a doctrine of “undue burden.” This gave parental involvement laws and other types of incremental pro-life legislation additional constitutional protection.

Also, legislators made considerable and lasting gains at the state level during the 1990s. While it is well known that Republicans obtained control of both the House and the Senate in 1994, the gains they made in the states have received considerably less attention. In fact, Republicans obtained majority control of both chambers of the state legislature in 11 additional states in 1994.¹² Overall, the number of states where Republicans controlled both chambers of the state legislature increased from six in 1992 to 18 in 2000.¹³ Since Republicans are generally more supportive of legislation than their Democratic counterparts, their gains at the state level during the 1990s have led to the enactment of more state-level parental involvement laws.

⁸ John F. Merz, Catherine Jackson, and Jacob Klerman, “A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994.” *Women’s Rights Law Reporter*. Vol. 17, No. 1 (1995), pp. 1–61.

⁹ *Who Decides? 1992* (Washington, D.C.: NARAL Foundation, 1992), p. 125.

¹⁰ *Who Decides? 2000* (Washington, D.C.: NARAL Foundation, 2000).

¹¹ *Who Decides? 2008* (Washington, D.C.: NARAL Foundation, 2008).

¹² Bureau of the Census. *Statistical Abstract of the United States: 2001* (Washington: Government Printing Office, 2000), p. 249.

¹³ *Ibid.*

Other Research

What effect have these parental involvement laws had? Previous research provides some insights. Most studies indicate that parental involvement statutes reduce the number of abortions performed on minors within the borders of a given state.¹⁴ However, researchers are divided over whether these laws cause overall reductions in the number of abortions, partly because minors can circumvent these laws by obtaining abortions in neighboring states where the laws are more permissive.

Some studies focus on individual parental involvement laws. In a study which separately analyzes parental involvement laws in Indiana, Minnesota, and Missouri, Ellertson (1997) finds that the minor abortion rate in these states declines anywhere from 17 percent to 26 percent after the enactment of these laws. However, she also finds that minors were more likely to travel to other states to obtain abortions after these laws took effect.¹⁵ Ellertson then posits that the increase in out-of-state abortions could be large enough to offset the in-state declines completely.¹⁶

¹⁴ Charlotte Ellertson, "Mandatory Parental Involvement in Minors' Abortions: Effects of the Laws in Minnesota, Missouri, and Indiana," *American Journal of Public Health*, Vol. 87, No. 8 (August 1997), pp. 1367-1374; Virginia Cartoof and Lorraine Klerman, "Parental Consent for Abortion: Impact of the Massachusetts Law," *American Journal for Public Health*, Vol. 76, No. 4 (1986), pp. 397-400; James Rogers, Robert Boruch, George Storms, and Dorothy DeMoya, "Impact of the Minnesota Parental Notification Law on Abortion and Birth," *American Journal of Public Health*, Vol. 81, No. 3 (1991), pp. 294-298; Theodore Joyce, Robert Kaestner, and Silvie Coleman, "'Changes in Abortions and Birth and the Texas Parental Notification Law,'" *The New England Journal of Medicine*, Vol. 354, No. 10 (2006), pp 1031-1038; Deborah Haas-Wilson, "The Impact of State Abortion Restrictions on Minors' Demand for Abortions," *The Journal of Human Resources*, Vol. 31, No. 1 (Winter 1996), pp. 140-158; Deborah Haas-Wilson, "The Economic Impact of State Policy Restrictions on Abortion: Parental Consent and Notification Laws and Medicaid Funding Restrictions," *Journal of Policy Analysis and Management*, Vol. 12, No. 3 (Summer 1993), pp. 498-511; Robert Ohsfeldt and Stephan Gohman, "Do Parental Involvement Laws Reduce Adolescent Abortion Rates?" *Contemporary Economic Policy*, Vol. 12, Issue 2 (April 1994), pp. 65-76; and Michael J. New, "The Effect of Pro-Life Legislation on The Incidence of Abortion on Minors." *Catholic Social Science Review*, Vol 12 (2007), pp. 185-215.

¹⁵ Charlotte Ellertson, "Mandatory Parental Involvement in Minors' Abortions: Effects of the Laws in Minnesota, Missouri, and Indiana," *American Journal of Public Health*, Vol. 87, No. 8 (August 1997), pp. 1367-1374.

¹⁶ *Ibid.*, pp. 1371-1372.

Similarly, Cartoof and Klerman (1986) found that Massachusetts's parental involvement law, which was passed in 1981, resulted in significantly fewer minors obtaining in-state abortions and significantly more minors seeking out-of-state abortions. The magnitude of the out-of-state increases appears less than the in-state decline. The authors remain skeptical, though, that the law was effective in reducing the number of abortions performed on Massachusetts minors.¹⁷

Other case studies, however, have found parental involvement laws to be more effective. A study of Minnesota's first parental notification law, which was passed in 1981,¹⁸ indicates that it reduced the in-state abortion minor abortion rate by about 28 percent.¹⁹ Another study found little evidence that Minnesota minors are leaving the state in significant numbers to obtain abortions in neighboring states.²⁰

Furthermore, a study authored by Theodore Joyce, Robert Kaestner, and Silvie Coleman and appeared in the *New England Journal of Medicine* in 2006 analyzed the parental notification law that was passed in Texas in 2000. They found that the law resulted in statistically significant declines in the abortion rate among 15-year-olds, 16-year-olds and 17-year-olds. This study also found little evidence that Texas minors were obtaining abortions in other states, but found some evidence that some 17-year-olds were able to circumvent the law by waiting until after their 18th birthday for an abortion.²¹

Furthermore, there are at least four academic studies that use time series

¹⁷ Virginia Cartoof and Lorraine Klerman, "Parental Consent for Abortion: Impact of the Massachusetts Law," *American Journal for Public Health*, Vol. 76, No. 4 (1986), pp. 397-400.

¹⁸ James Rogers, Robert Boruch, George Storms, and Dorothy DeMoya, "Impact of the Minnesota Parental Notification Law on Abortion and Birth," *American Journal of Public Health*, Vol. 81, No. 3 (1991), pp. 294-298.

¹⁹ Calculation by author based on data reported in the article.

²⁰ Robert Blum, Michael Resnick, and Trisha Stark, "The Impact of a Parental Notification Law on Adolescent Abortion Decision Making," *American Journal of Public Health*, Vol. 77, No. 5 (May 1987), pp. 619-620

²¹ Theodore Joyce, Robert Kaestner, and Silvie Coleman, "Changes in Abortions and Birth and the Texas Parental Notification Law," *The New England Journal of Medicine*, Vol. 354, No. 10 (2006), pp. 1031-1038.

cross-sectional data to analyze simultaneously the effects of several enacted parental involvement laws.²² These studies all have fairly consistent findings. They indicate that parental involvement laws reduce the minor abortion rate anywhere from 13 to 19 percent within the boundaries of a given state. Furthermore, in every study, these findings achieve conventional levels of statistical significance.

Shortcomings in the Academic Literature

Overall these studies provide solid evidence that state-level parental involvement laws are reducing the incidence of abortion among minors within the boundaries of their given state. However, some shortcomings are prevalent within the academic literature. First, with the exception of the 2006 article that appeared in *The New England Journal of Medicine*, no study examines the effect of these laws on minors of various ages. It is possible that parental involvement laws might affect older minors differently than younger minors. Also, if the effects of parental involvement laws are relatively consistent among minors of differing age groups, the findings would appear more robust and reliable.

More importantly, no study has compared the effects of different types of parental involvement laws. Indeed, it seems plausible that more stringent parental involvement laws – laws requiring parental consent or laws requiring the involvement of two parents – might result in larger abortion declines. However, no existing academic or policy study compares the effects of different types of parental involvement laws (Table 1).

²² Deborah Haas-Wilson, “The Impact of State Abortion Restrictions on Minors’ Demand for Abortions,” *The Journal of Human Resources*, Vol. 31, No. 1 (Winter 1996), pp. 140–158; Deborah Haas-Wilson, “The Economic Impact of State Policy Restrictions on Abortion: Parental Consent and Notification Laws and Medicaid Funding Restrictions,” *Journal of Policy Analysis and Management*, Vol. 12, No. 3 (Summer 1993), pp. 498–511; Robert Ohsfeldt and Stephan Gohman, “Do Parental Involvement Laws Reduce Adolescent Abortion Rates?” *Contemporary Economic Policy*, Vol. 12, Issue 2 (April 1994), pp. 65–76. Michael J. New, “The Effect of Pro-Life Legislation on The Incidence of Abortion on Minors.” *Catholic Social Science Review*, Vol 12 (2007), pp. 185–215.

Table 1: Different Types of Parental Involvement Laws²³

States with Laws That Require One-Parent Notification

Arkansas	March 1, 1989 - 2000
Arizona	July 21, 1982 - 1985
Connecticut	October 1, 1990 - 1998
Delaware	1996 - 2000
Georgia	September 1991 - 2000
Idaho	1996 - 2000
Iowa	1997 - 2000
Kansas	July 1, 1992 - 2000
Maryland	December 3, 1992 - 2000
Minnesota	August 1, 1981 - November 6, 1986
Nebraska	September 6, 1991 - 2000
Ohio	October 1990 - 2000
South Dakota	1998 - 2000
Tennessee	November 19, 1992 - 1996
Texas	2000
Utah	January 1, 1981 - 2000
Virginia	1998 - 2000
West Virginia	May 23, 1984 - 2000

States with Laws That Require One-Parent Consent

Alabama	September 23, 1987 - 2000
Indiana	September 1984 - 2000
Kentucky	July 15, 1994 - 2000
Louisiana	November 18, 1981 - 2000
Maine	September 30, 1989 - 2000
Massachusetts	April 15, 1981 - 2000
Michigan	March 28, 1991 - August 5, 1992 March 31, 1993 - 2000
Missouri	June 15, 1983 - November 4, 1983 August 7, 1985 - 2000
North Carolina	1996 - 2000
Pennsylvania	March 20, 1994 - 2000
Rhode Island	September 1, 1982 - 2000
South Carolina	May 26, 1990 - 2000
Tennessee	1999 - 2000
Wisconsin	July 1, 1992 - 2000
Wyoming	June 8, 1989 - 2000

States with Laws That Require Two-Parent Notification

Minnesota	October, 1990 - 2000
North Dakota	March 31, 1981 - 2000

States with Laws That Require Two-Parent Consent

²³ Data obtained from Jon Merz, Catherine Jackson, and Jacob Klerman, "A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994." *Women's Rights Law Reporter* 17, no. 1 (1995), pp. 12-57; *Who Decides?* (Washington, D.C.: NARAL Foundation (various years)).

In this analysis, these two shortcomings in the existing academic and policy literature will be corrected. State-by-state data will be collected on the number of abortions performed on 17-year-olds, 16-year-olds, and 15-year-olds. This way the effects of parental involvement laws on minors of different age groups can be analyzed. Furthermore, the different types of parental involvement laws will be separately analyzed as well. This way it will be possible to determine if parental consent laws are more effective than parental notification laws and if laws requiring the involvement of two parents are more effective than those laws which mandate the involvement of only one parent. More details about the methodology are below.

Methodology

The empirical test of the impact of these different types of parental involvement laws involves a series of regressions on dataset that includes minor abortion data from nearly every state between the years of 1985 and 1999. Regression analysis is well-suited for this type of research because it allows us to examine simultaneously the effects of various factors on the central concern of this paper: the number of abortions performed on minors.

Regressions will be run on five separate dependent variables. First is the minor abortion rate which measures the number of abortions that are performed on females under the age of 17 per thousand females between the age of 13 and 17. The next three dependent variables are the respective abortion rates for 17-year-olds, 16-year-olds, and 15-year-olds.

The final dependent variable is the abortion rate for 18- and 19-year-olds. This serves as a control group. Females who are 18 or 19 years old would have similar demographic characteristics to their 17-, 16-, and 15-year-old counterparts. However, since 18- and 19-year-olds are no longer minors, they

would not be directly affected by state-level parental involvement laws. As such, this control group will allow us to better determine if abortion declines are actually caused by parental involvement laws or broader factors that are reducing the incidence of abortion among all age groups.

These minor abortion rate statistics are not published and are calculated by the author using abortion data released by the Centers for Disease Control and population data from the U.S. Census Bureau. These variables should provide us with a good indication of the impact of various types of parental involvement laws.

Table 2: Dependent Variables

1) Minor Abortion Rate	Number of abortions performed on females under 17 per thousand females between 13 and 17
2) 17-Year-Old Abortion Rate	Number of abortions performed on 17-year-olds per thousand 17-year-old females
3) 16-Year-Old Abortion Rate	Number of abortions performed on 16-year-olds per thousand 16-year-old females
4) 15-Year-Old Abortion Rate	Number of abortions performed on 15-year-olds per thousand 15-year-old females
5) 18- to 19-Year-Old Abortion Rate	Number of abortions performed on 18- and 19-year-olds per thousand females 18 and 19 (Control Group)

In the regression analysis, a variety of economic and demographic factors will be held constant. To capture the impact of the economy, I will include each state’s per capita personal income growth and each state’s change in the unemployment rate in the regression model. A series of variables measuring the racial composition of females between the ages of 13 to 17 in each state will be included in the model as well.

Also, a teen fertility variable, measuring the number of births per 1,000 women between the ages of 13 and 19, is included in the model. This variable serves as a proxy for the number of pregnancies that are occurring. Fewer

pregnancies would result in fewer abortions. Similarly, if the fertility variable is low, it might indicate that a higher proportion of pregnancies are planned, which would also result in fewer abortions.

Previous research indicates that a variety of state-level laws have an impact on the incidence of abortion among minors.²⁴ Included in the regression model are three separate variables which indicate the presence or absence of a particular type of policy. First is whether a state restricts funding of therapeutic abortions through Medicaid.²⁵ Second is whether or not a state has an informed consent statute.²⁶ A third variable indicates the presence of a state ban on partial birth abortions.²⁷

Of more interest in this study, however, are the effects of the various types of parental involvement laws. The first set of regressions will analyze the combined impact of all the parental involvement laws on the minor abortion rate and the respective abortion rates for 18- and 19-year-olds, 17-year-olds, 16-year-olds, and 15-year-olds.

The second series of regressions will compare the impact of parental consent laws to parental notification laws. In the final series of regressions, I will compare the impact of two- parent parental involvement laws to parental involvement laws that only require the involvement of one parent. Again, there is a good chance that more stringent parental involvement laws will result in

²⁴ Michael J. New, "Analyzing the Effect of State Legislation on the Incidence of Abortion Among Minors," Heritage Foundation Center for Data Analysis Report 07-01. February 7, 2007.

²⁵ Most states will fund abortions through Medicaid when the pregnancy is the result of rape or when the abortion is necessary to preserve the life of the mother. However, states differ as to whether they fund abortions that are deemed therapeutic in nature.

²⁶ Informed consent statutes differ from state to state, but they all require women seeking abortions to receive additional information about the abortion procedure. This can include information about fetal development, information about the health risks involved with obtaining an abortion, or information about the public and private sources of support for single mothers. Informed consent laws received constitutional protection in the Supreme Court's 1992 *Casey vs. Planned Parenthood* decision.

²⁷ The Supreme Court struck down all state partial birth abortion bans in *Stenberg vs. Carhart* in 2000. However, partial birth abortion bans were upheld in 12 states between 1996 and 2000.

greater abortion declines. However, this is a topic that has gone unexplored in the academic and policy literature.

I should also add that the regression model that is utilized is a fixed effects model where separate indicator variables are included for every state and year. The data is weighted by state population. Also, the regression is run on the natural log of the dependent variable so that the effect of each type of legislation can be expressed in percentage terms.²⁸ As standard, AR1 correction for autocorrelation is utilized. The complete regression results can be found in Appendices A, B, and C. A summary of the results from the first regression are below.

Table 3: Data Sources

Variable	Source
Minor Abortion Rate ²⁹ (Number of abortions performed on minors per 1000 females between the age of 13 and 17)	Centers for Disease Control and Prevention U.S. Census Bureau
18- and 19-Year-Old Abortion Rate (Number of abortions performed on 18- and 19-year-olds per 1000 18 and 19 year old females)	Centers for Disease Control and Prevention U.S. Census Bureau
17-Year-Old Abortion Rate (Number of abortions performed on 17-year-olds per 1000 17 year old girls)	Centers for Disease Control and Prevention U.S. Census Bureau
16-Year-Old Abortion Rate (Number of abortions performed on 16-year-olds per 1000 16 year old girls)	Centers for Disease Control and Prevention U.S. Census Bureau
15-Year-Old Abortion Rate (Number of abortions performed on 15-year-olds per 1000 15 year old girls)	Centers for Disease Control and Prevention U.S. Census Bureau

²⁸ The coefficients for the variables which measure the presence or absence of a particular type of legislation provide an approximation of the percentage decline in the abortion rate. However, the exact formula for calculating the percentage decline is $100*(e^{\beta} - 1)$ where β is the regression coefficient.

²⁹ The Centers for Disease Control and Prevention reports the number of abortions that are performed on women under the age of 18, but does not report an actual abortion rate for minors. As such, this statistic was calculated by dividing the number of abortions performed on women under the age of 18 by the number of females between the ages of 13 to 17 and multiplying by one thousand.

State Per Capita Personal Income Growth	Bureau of Economic Analysis
State Unemployment Rate	Bureau of Labor Statistics
Racial demographics by state	U.S. Census Bureau
Partial Birth Abortion Ban	<i>Who Decides?</i> (various years)
Informed Consent Law	<i>Who Decides?</i> (various years)
Parental Involvement Laws	Merz, Jackson, Kellerman, and <i>Who Decides?</i> (various years)
Medicaid Funding of Abortions	Merz, Jackson, Kellerman, and <i>Who Decides?</i> (various years)

Results

The regression results indicate that a number of different types of laws result in reductions in the minor abortion rate. Informed consent laws which provide women seeking abortion with information about public and private sources of support, health risks involved with an abortion, and fetal development reduce the minor abortion rate by 3.8 percent. This finding is statistically significant. The regression model finds that public funding restrictions reduce the minor abortion rate by 7.8 percent. This finding is also statistically significant. Finally, partial birth abortion bans have little effect on the minor abortion rate, a finding that is consistent with much of the academic and policy literature that has analyzed the effects of partial birth abortion bans.³⁰

Of more interest, however, are the effects of the parental involvement laws. The regression results indicate that the passage of a parental involvement law reduces the minor abortion rate by 13.6 percent. This finding is statistically significant and consistent with other academic and policy studies that have analyzed the effects of parental involvement laws.

Interestingly, parental involvement laws do not result in declines in the abortion rate for 18- and 19-year-olds. This is unsurprising. Women in this age

³⁰ Michael J. New, "Analyzing the Effect of State Legislation on the Incidence of Abortion among Minors," Heritage Foundation Center for Data Analysis Report 07-01. February 7, 2007.

group would likely be demographically similar to their minor counterparts. However, since they are no longer minors, they would not be directly affected by the passage of the parental involvement legislation. This finding provides additional evidence that the abortion decline among minors is caused by the enactment of the parental involvement legislation and not broader cultural factors that are reducing the incidence of abortion among all age groups.

Analyzing the different age groups, the results indicate that the passage of a parental involvement law reduces the abortion rate among 17-year-olds by 18.3 percent, the abortion rate among 16-year-olds by 14.3 percent, and the abortion rate among 15-year-olds by 8.6 percent. All of these findings achieve conventional levels of statistical significance. Furthermore, the fact that parental involvement laws result in consistent and statistically significant abortion declines across all the age groups strengthens these findings.

Table 4: Testing the Impact of State-Level Laws on Various Age Groups

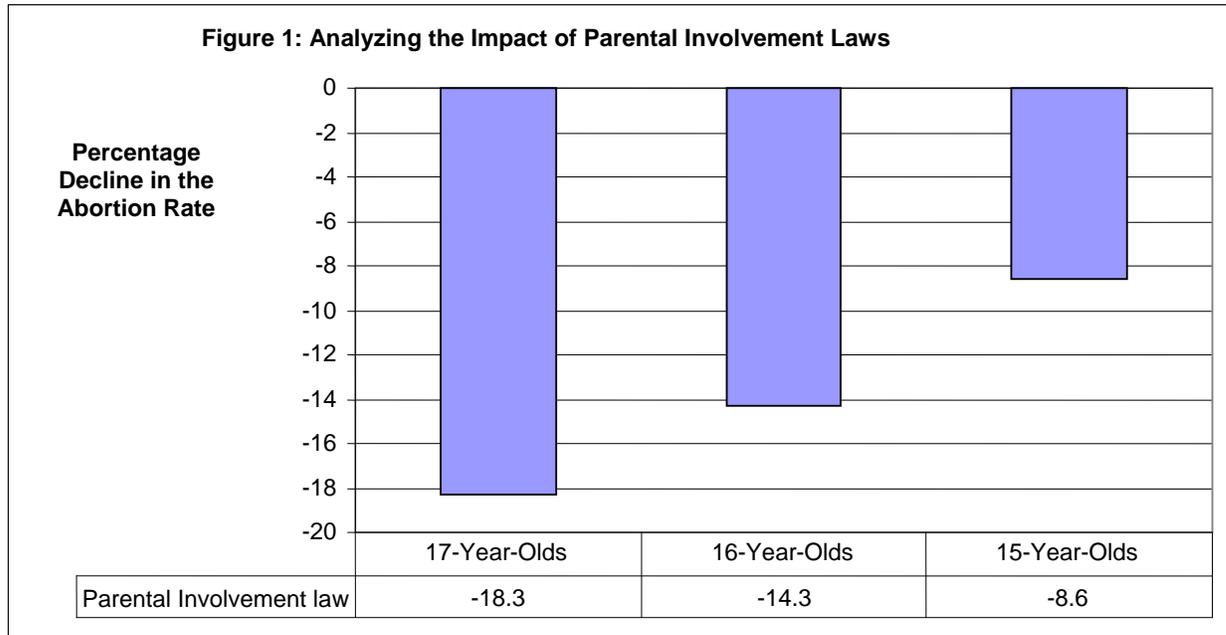
Technique: Generalized Least Squares with state and year indicator variables, Corrected for Autocorrelation. Data weighted by state population.

	Model 1	Model 2	Model 3	Model 4	Model 5
Variable	Abortion Rate (18- and 19- year-olds)	Abortion Rate (13- to 17- year-olds)	Abortion Rate (17-year-olds)	Abortion Rate (16-year-olds)	Abortion Rate (15-year olds)
	(control)				
Informed Consent	-1.7%	-3.8%*	-5.4%**	-3.6%*	1.4%
Medicaid Funding Restrictions	-0.9%	-7.8%**	-8.0%*	-3.2%	-4.0%
Partial Birth Abortion Ban	-1.5%	-2.8%	-0.8%	-5.4%	-3.7%
Parental Involvement Law	-0.1%	-13.6%***	-18.3%***	-14.3%***	-8.6%***
Number of observations	570	570	570	570	570

R squared .994 .987 .991 .987 .975

*significant at the 10 percent level; **significant at the 5 percent level; ***significant at the 1 percent level

Full regression results can be found in Appendix A.



Analyzing Different Types of Parental Involvement Laws

A. Comparing Parental Consent to Parental Notification Laws

The next regression compares the impact of parental consent laws to parental notification laws. Again, no policy or academic study has ever compared the effects of parental consent laws to parental notification laws. This is unfortunate because it seems plausible that parental consent laws might result in larger abortion reductions than parental notification laws.

This is for several reasons. Consent laws, unlike notification laws, would effectively give parents the ability to prevent an abortion from being performed on their daughter. Similarly, a parental consent law would pose a greater obstacle for a minor who is emancipated or who is not living with her parents.

Additionally, a parental notice law might not serve as a deterrent to a minor who feels she can intercept the notification.

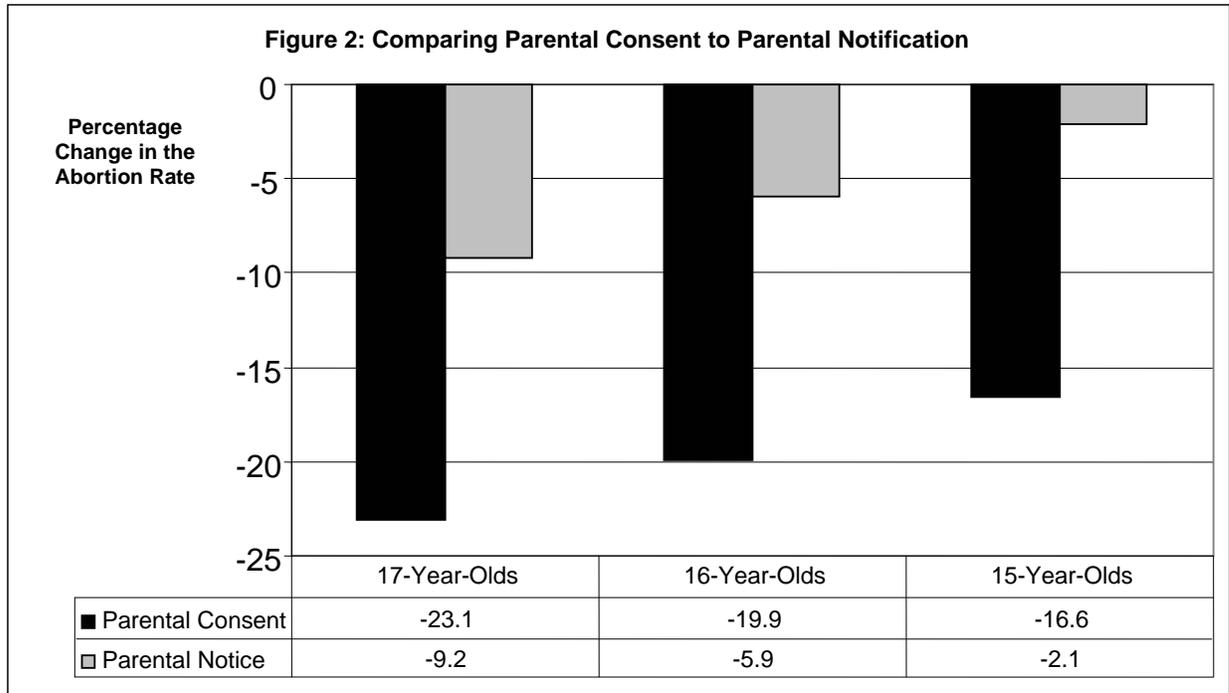
Finally, it should also be noted that abortion providers might have a greater incentive to follow parental consent laws and verify that minors who are seeking abortions actually have the consent of a parent. A missed notification can possibly be blamed on timing or other incidental factors. However, failure to obtain consent would likely be seen as the responsibility of the abortion provider and could result in legal action – especially if the parents did not approve of the abortion being performed. The results of the second set of regressions can be found in Appendix B, and a summary can be found below.

Table 5: Comparing the Effect of Parental Consent and Parental Notification Laws

	Model 1	Model 2	Model 3	Model 4
Variable	Abortion Rate (13- to 17- year-olds)	Abortion Rate (17-year-olds)	Abortion Rate (16-year-olds)	Abortion Rate (15-year-olds)
Parental Consent Law	-18.7%***	-23.1%***	-19.9%***	-16.6%***
Parental Notification Law	-4.8%*	-9.2%***	-5.9%*	-2.1%

*significant at the 10 percent level; **significant at the 5 percent level; ***significant at the 1 percent level

Full Regression Results Can Be Found in Appendix B



These findings provide evidence that parental consent laws result in larger abortion reductions than parental involvement laws. Overall, parental consent laws result in an 18.7 percent decline in the minor abortion rate whereas parental notification laws only result in a decline of around five percent. This difference is statistically significant. Parental consent laws have their largest impact on 17-year-olds, resulting in an abortion rate decline of 23.1 percent. Parental consent laws also result in respective abortion rate declines of 19.9 percent and 16.6 percent among 16-year-olds and 15-year-old females.

Furthermore, among every age group, parental consent laws result in larger abortion declines than parental notification laws. In each case, these differences achieve conventional standards of statistical significance. This provides very solid evidence that parental consent laws are more effective than parental notice laws. These findings should inform future debates in state legislatures about how best to protect unborn children.

B. Comparing One-Parent Parental Involvement Laws to Two-Parent Parental Involvement Laws

The next and final set of regressions compare parental involvement laws that require the involvement of only one parent to those that mandate the involvement of both parents. Again, this is a distinction that has been ignored by the academic and policy literature. While most parental involvement laws require the involvement of only one parent, three states (North Dakota [1981], Minnesota [1990], and Mississippi [1993]) have enacted parental involvement laws that require the involvement of two parents.

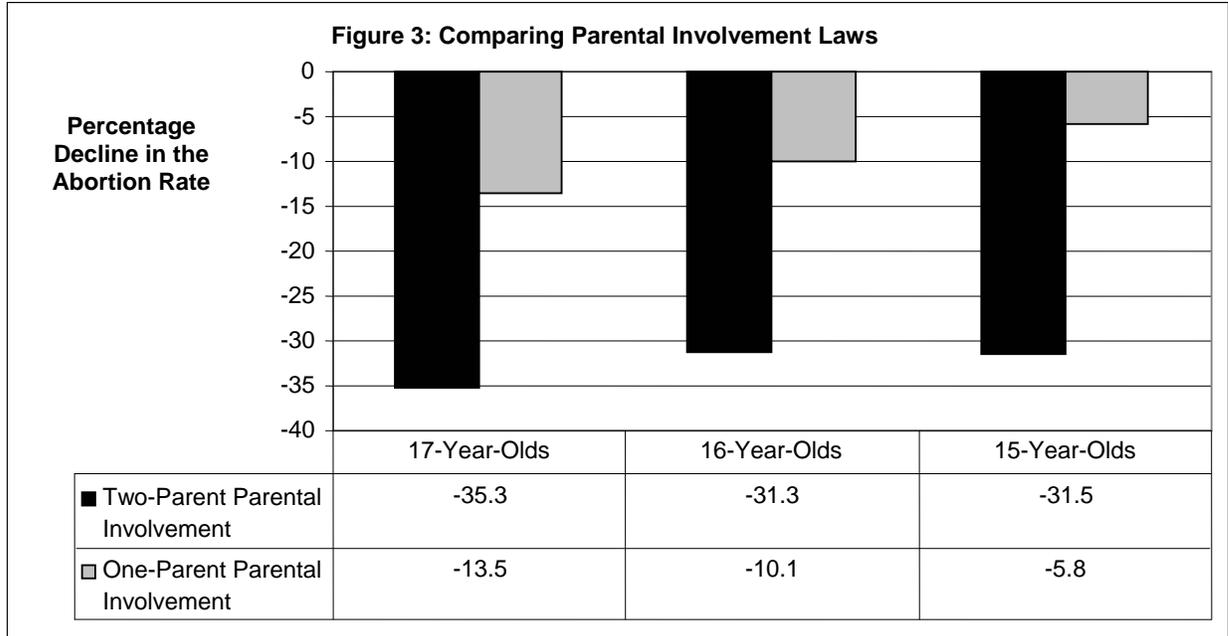
Furthermore, it seems likely that parental laws requiring the involvement of two parents might result in larger abortion declines. A law that requires the involvement of two parents gives any one parent a better chance to prevent the abortion from taking place. Similarly, it might be more difficult for a minor to intercept two separate notifications. Also, while one missed notification could possibly be blamed on timing or other incidental factors, it would be more difficult for an abortion provider to justify a pair of missed notifications. Finally, obtaining the consent of both parents might prove difficult for some minors. The full results of the third set of regressions can be found in Appendix C, and a summary can be found in Table 6.

Table 6: Comparing the Effect of One-Parent and Two-Parent Parental Involvement Laws

	Model 1	Model 2	Model 3	Model 4
Variable	Abortion Rate (13- to 17- year-olds)	Abortion Rate (17-year-olds)	Abortion Rate (16-year-olds)	Abortion Rate (15-year-olds)
Parental Involvement Law (Two-Parent)	-31.4%***	-35.3%***	-31.3%***	-31.5%***
Parental Involvement Law (One-Parent)	-9.2%***	-13.5%***	-10.1%***	-5.8%*

*significant at the 10 percent level; **significant at the 5 percent level; ***significant at the 1 percent level

Full Regression Results Can Be Found in Appendix C.



These findings provide strong evidence that parental involvement laws which require the involvement of two parents result in larger abortion reductions than laws that require the involvement of only one parent. Overall, laws requiring the involvement of two parents result in a 31.4 percent decline in the minor abortion rate. Conversely, parental involvement laws requiring the involvement of only one parent result in a minor abortion rate decline of 13.5 percent. This difference is statistically significant.

Laws requiring the involvement of two parents have their largest impact on 17-year-olds, resulting in an abortion rate decline of 35.3 percent. These laws also result in abortion rate declines of 31.3 percent and 31.5 percent among 16-year-olds and 15-year-olds, respectively.

Furthermore, among every age group, legislation requiring the involvement of two parents results in larger abortion declines than laws requiring the involvement of only one parent. In each case, these differences achieve conventional standards of statistical significance. Overall, laws that require the involvement of two parents show the most promise for being able to reduce the incidence of abortion among minors. They are explored in greater detail in the following section.

A Closer Look at Laws That Require the Involvement of Two Parents

Since 1985, only two states have enacted parental involvement laws requiring the involvement of two parents. In 1990, Minnesota passed a two-parent parental notification bill, and Mississippi had a two-parent parental consent bill take effect in 1993.³¹ The following two time series charts demonstrate the effectiveness of these two pieces of legislation. Figures 4 and Figure 5 depict the trends in the abortion rate for 17-year-olds, 16-year-olds, and 15-year-olds in Mississippi and Minnesota, respectively. Both of these charts show how the minor abortion rates in these states fluctuated over time, then started a substantial decline after the enactment of parental involvement laws. Indeed, both the regression findings and these time series charts indicate that parental involvement laws that require the involvement of two parents possess considerable promise for reducing the incidence of abortion among minors.

³¹ John F. Merz, Catherine Jackson, and Jacob Klerman, "A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994." *Women's Rights Law Reporter*. Vol. 17, No. 1 (1995), pp. 1-61.

Figure 4: Abortion Rates for Minors in Mississippi
(Two-Parent Parental Consent Bill Effected 1993)

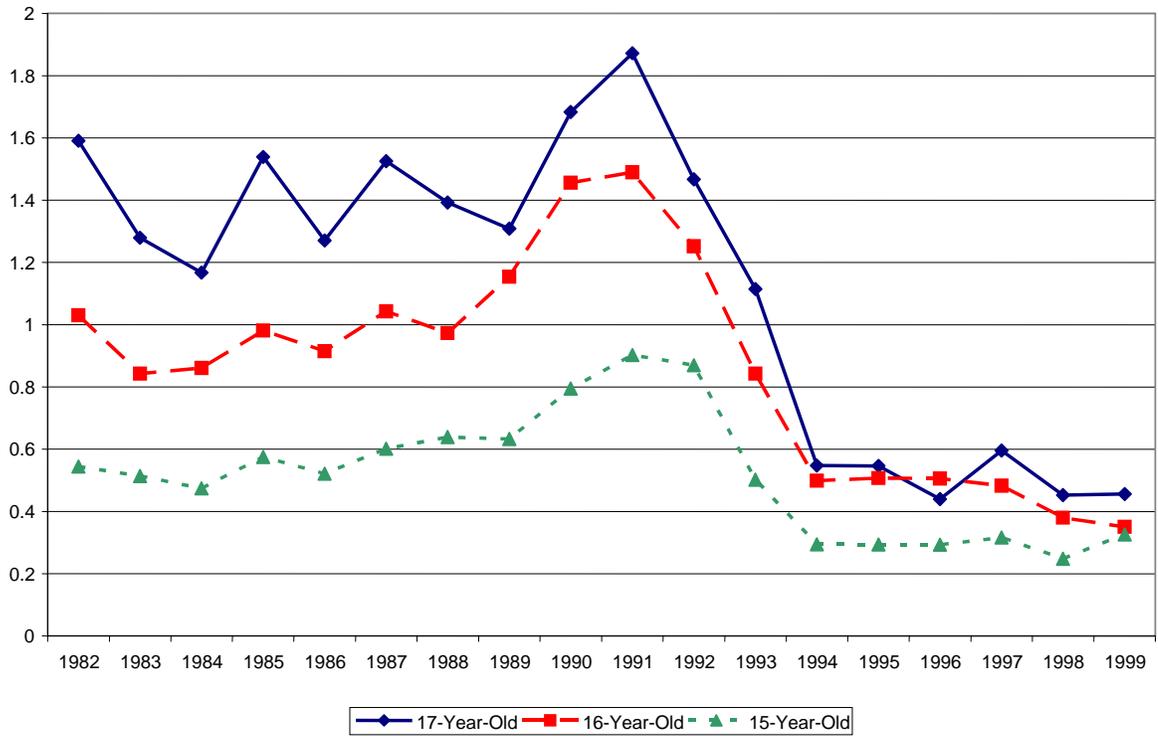
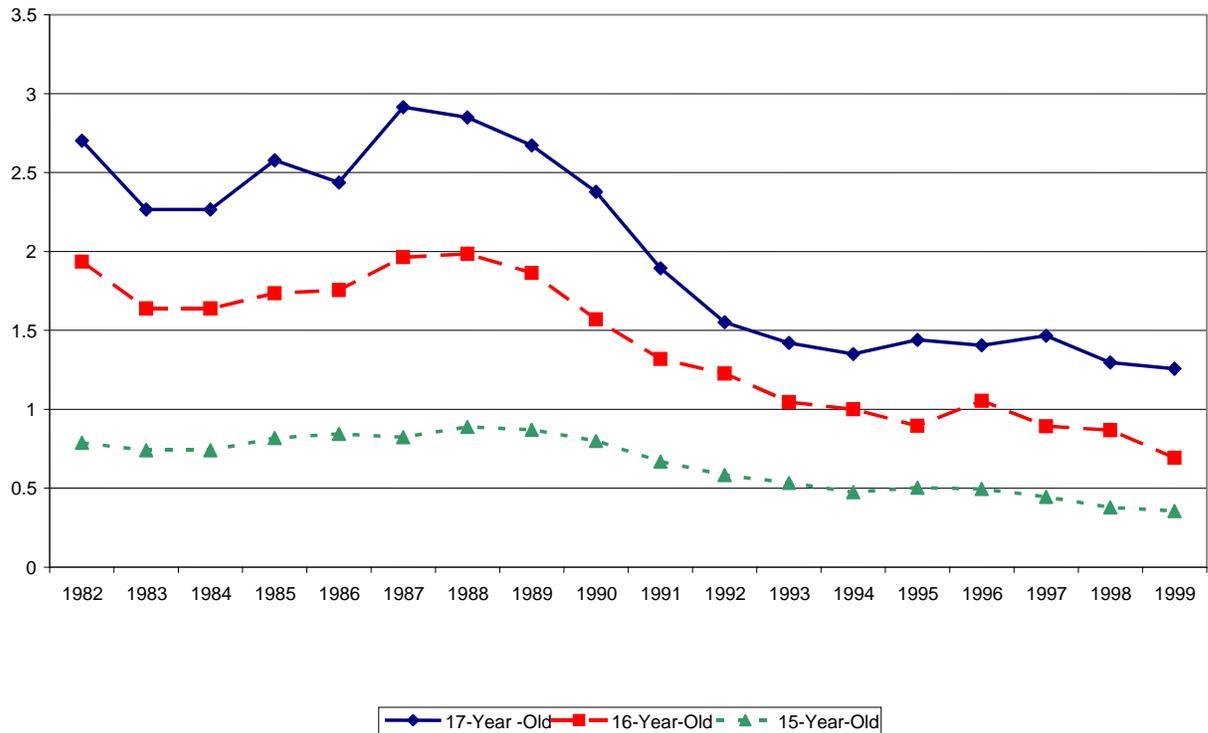


Figure 5: Abortion Rates for Minors in Minnesota
(Two-Parent Parental Notification Bill Passed 1990)



Conclusion

This study contributes to the substantial body of social science research which indicates that parental involvement laws result in reductions in the incidence of abortion among minors. Overall, the regression results indicate that the passage of a parental involvement law reduces the minor abortion rate by approximately 14 percent. Furthermore, the results also indicate that the enactment of a parental involvement law results in statistically significant reductions in the abortion rate among 17-year-olds, 16-year-olds, and 15-year-olds.

Moreover, by comparing various types of parental involvement laws, this study breaks new ground. The results provide solid evidence that laws that require parental consent result in larger abortion declines than laws that only require parental notification. Similarly, legislation requiring the involvement of

two parents results in larger abortion declines than laws requiring the involvement of only one parent. These findings hold true for all age groups that were analyzed.

This research has clear policy implications. While enacting parental involvement laws is a worthwhile policy goal, these findings indicate that state legislators and pro-life activists everywhere should make a concerted effort to strengthen their state's parental involvement laws.

Furthermore, these findings have implications for federal legislation as well. It is entirely possible that some of these in-state abortion reductions could be offset by minors who obtain abortions in neighboring states where the laws are more permissive. However, federal legislation has been introduced that would considerably strengthen these state-level parental involvement laws. The Child Custody Protection Act that has been introduced in the U.S House and the Child Interstate Abortion Notification Act (CIANA) that has been introduced in the U.S. Senate would make it a felony for anyone other than a parent to take a child across state lines for the purpose of obtaining an abortion.

CIANA passed the House of Representatives, and the Child Custody Protection Act passed the Senate in 2006. However, this legislation ultimately was defeated when the Senate Democrats refused to appoint members to a conference committee to work out the differences in the two pieces of legislation. Regardless, by making it more difficult for a minor to obtain an abortion in neighboring states, these federal laws could considerably strengthen the state-level parental involvement laws that are already in place. Indeed, both CIANA and the Child Custody Protection Act should both remain a high priority for organizations working on federal legislation.

During the 2008 election campaign, abortion will undoubtedly be a major issue. The Supreme Court appointments by the next President will likely determine the extent to which federal government and the states are able to protect unborn children in the future. In recent months, a number of candidates

from both parties have expressed an interest in lowering the incidence of abortion. This, itself, is laudable. However, if voters are serious about reducing the incidence of abortion, they should support only those candidates who have a consistent track record of actually supporting pro-life legislation. While campaign rhetoric does not amount to much, this study – and other studies – provide solid evidence that laws are effective at protecting mothers and their unborn children.

Appendix A: Regression Results

Testing the Impact of Parental Involvement Laws on Various Age Groups

Technique: Generalized Least Squares with state and year indicator variables, Corrected for AR1 autocorrelation. Data weighted by state population.

	Model 1	Model 2	Model 3	Model 4	Model 5
Variable	Abortion Rate (18- and 19- year-olds)	Abortion Rate (13- to 17- year-olds)	Abortion Rate (17-year-olds)	Abortion Rate (16-year-olds)	Abortion Rate (15-year- olds)
Income Growth	-0.002 (0.003)	-0.006 (0.004)	-0.011** (0.004)	0.000 (0.005)	-0.013** (0.006)
Δ Unemployment Rate	-0.001 (0.006)	-0.001 (0.007)	-0.002 (0.007)	0.000 (0.008)	-0.001 (0.011)
Percent Black	0.025* (0.015)	0.054** (0.017)	0.057*** (0.017)	0.049*** (0.018)	0.063*** (0.019)
Percent Native American	-0.014 (0.041)	0.035 (0.046)	0.045 (0.045)	0.039 (0.048)	0.055 (0.052)
Percent Hispanic	0.009 (0.010)	0.019 * (0.011)	0.025*** (0.011)	0.012 (0.012)	0.008 (0.013)
Percent Asian	0.052* (0.027)	0.006 (0.030)	0.034 (0.030)	0.035 (0.031)	0.014 (0.034)
Teen Fertility Rate	0.007 (0.004)	0.006 (0.005)	0.005 (0.005)	0.008 (0.006)	0.006 (0.007)
Informed Consent	-0.017 (0.019)	-0.039* (0.023)	-0.056** (0.022)	-0.037* (0.024)	-0.014 (0.028)
Medicaid Funding Restrictions	-0.009 (0.037)	-0.081** (0.044)	-0.083* (0.044)	-0.033 (0.047)	-0.041 (0.055)
Partial Birth Abortion Ban	-0.015 (0.032)	-0.028 (0.039)	-0.008 (0.040)	-0.056 (0.042)	-0.038 (0.051)
Parental Involvement Law	-0.001 (0.023)	0.146*** (0.027)	-0.202*** (0.027)	-0.154*** (0.029)	-0.090*** (0.033)
Number of Observations	570	570	570	570	570
R squared	.994	.987	.991	.987	.975

significant at the 10 percent level; **significant at the 5 percent level; ***significant at the 1 percent level

Note: All regressions we run on the natural log of the dependent variable so that the effect of each type of legislation can be expressed in percentage terms.

Appendix B: Regression Results

Comparing the Effect of Parental Consent and Parental Notification Laws

Technique: Generalized Least Squares with state and year indicator variables, Corrected for AR1 autocorrelation. Data weighted by state population.

	Model 1	Model 2	Model 3	Model 4
Variable	Abortion Rate (13- to 17-year-olds)	Abortion Rate (17-year-olds)	Abortion Rate (16-year-olds)	Abortion Rate (15-year-olds)
Income Growth	-0.007* (0.004)	-0.012*** (0.004)	-0.000 (0.005)	-0.014** (0.006)
Δ Unemployment Rate	0.000 (0.007)	-0.001 (0.007)	0.002 (0.008)	-0.001 (0.011)
Percent Black	0.038** (0.017)	0.039 (0.017)	0.033* (0.018)	0.047** (0.020)
Percent Native American	0.035 (0.046)	0.046 (0.045)	0.040 (0.048)	0.054 (0.052)
Percent Hispanic	0.018 (0.011)	0.025** (0.011)	0.011 (0.012)	0.005 (0.013)
Percent Asian	0.011 (0.030)	0.041 (0.030)	0.039 (0.031)	0.016 (0.034)
Teen Fertility Rate	0.005 (0.005)	0.004 (0.005)	0.007 (0.006)	0.004 (0.007)
Informed Consent	-0.037* (0.022)	-0.056** (0.023)	-0.036 (0.024)	-0.008 (0.028)
Medicaid Funding Restrictions	-0.070* (0.044)	-0.072* (0.044)	-0.018 (0.047)	-0.015 (0.055)
Partial Birth Abortion Ban	-0.036 (0.039)	-0.018 (0.040)	-0.064 (0.042)	-0.045 (0.050)

Parental Consent Law	-0.207*** (0.036)	0.263*** (0.036)	-0.222*** (0.038)	-0.182*** (0.043)
Parental Notification Law	-0.049* (0.031)	-0.096*** (0.031)	-0.061* (0.033)	-0.020 (0.037)
Number of observations	570	570	570	570
R squared	.986	.991	.988	.976

significant at the 10 percent level; **significant at the 5 percent level; ***significant at the 1 percent level

Note: All regressions we run on the natural log of the dependent variable so that the effect of each type of legislation can be expressed in percentage terms.

Appendix C: Regression Results

Comparing the Effect of Two-Parent Parental Involvement Laws to One-Parent Parental Involvement Laws

Technique: Generalized Least Squares with state and year indicator variables, Corrected for AR1 Autocorrelation. Data weighted by state population.

	Model 1	Model 2	Model 3	Model 4
Variable	Abortion Rate (13- to 17-year-olds)	Abortion Rate (17-year-olds)	Abortion Rate (16-year-olds)	Abortion Rate (15-year-olds)
Income Growth	-0.005 (0.004)	-0.010** (0.004)	0.001 (0.005)	-0.011* (0.005)
Δ Unemployment Rate	-0.001 (0.007)	-0.003 (0.007)	-0.000 (0.008)	-0.001 (0.010)
Percent Black	0.050*** (0.017)	0.052** (0.017)	0.044** (0.018)	0.059*** (0.019)
Percent Native American	0.047 (0.046)	0.059 (0.045)	0.051 (0.048)	0.066 (0.052)
Percent Hispanic	0.014 (0.012)	0.021* (0.012)	0.007 (0.012)	-0.001 (0.013)
Percent Asian	0.033 (0.031)	0.064** (0.030)	0.061* (0.032)	0.042 (0.035)
Teen Fertility Rate	0.009 (0.005)	0.008 (0.005)	0.010* (0.006)	0.009 (0.007)

Informed Consent	-0.036* (0.022)	-0.054** (0.023)	-0.034 (0.024)	-0.005 (0.029)
Medicaid Funding Restrictions	-0.114*** (0.044)	-0.123*** (0.045)	-0.069 (0.048)	-0.086 (0.056)
Partial Birth Abortion Ban	-0.027 (0.039)	-0.009 (0.040)	-0.055 (0.042)	-0.031 (0.051)
Parental Involvement Law (Two-Parent)	-0.377*** (0.082)	-0.436*** (0.078)	-0.376*** (0.083)	-0.379*** (0.089)
Parental Involvement Law (One-Parent)	-0.096*** (0.025)	-0.145*** (0.026)	-0.107*** (0.028)	-0.060* (0.032)
Number of observations	570	570	570	570
R squared	.986	.991	.987	.976

significant at the 10 percent level; **significant at the 5 percent level; ***significant at the 1 percent level

Note: All regressions we run on the natural log of the dependent variable so that the effect of each type of legislation can be expressed in percentage terms.

Appendix D: Information on Centers for Disease Control and Prevention Data

Some data is missing or omitted for the following reasons:

1) Failure to Report Data on the Incidence of Abortion

The following states did not report any abortion data to the Centers for Disease Control and Prevention in 1998 and 1999: Alaska, California, New Hampshire, Oklahoma

2) Data Intentionally Omitted by Researcher

Data from Alaska is omitted because of data collection problems. Data from Kansas is omitted as well. According to Centers for Disease Control and Prevention data, the abortion rate jumped an astounding 69 percent between 1991 and 1999, and this cannot be traced to any shifts in economics, policy, or demographics in Kansas or in neighboring states. Instead, it appears that the

presence of a Dr. Tiller who is one of the few doctors in the country who specializes in late term abortions may be responsible for this increase. Indeed, for every year between 1992 and 1999, the Centers for Disease Control and Prevention reports that over 40 percent of the abortions in Kansas are performed on out of state residents. This is by far the highest figure for any state.

3) Failure to Report Data on the Incidence of Abortion among Minors

Arkansas	1985
California	1985-1997
Connecticut	1989-1992
Delaware	1985-1996
Florida	1985-1999
Hawaii	1987
Illinois	1988-1999
Indiana	1988
Kentucky	1999
Louisiana	1986-1987
Massachusetts	1985-1986
Michigan	1985-1988
New Jersey	1985-1989
Ohio	1988
Texas	1985
Wisconsin	1985-86 and 1989-1990

4) Data Omitted Due to Change in the Data Collection Mechanism

Alabama	1981-1990
Illinois	1984-1987
Iowa	1981-1997
Kentucky	1984-1986
New Hampshire	1981-1997
Oklahoma	1984-1997
West Virginia	1981-1999

Appendix E: States with Parental Involvement Laws 1981-2000

States with Laws That Require One-Parent Notification

Arkansas	March 1, 1989 – 2000
Arizona	July 21, 1982 – 1985
Connecticut	October 1, 1990 – 1998
Delaware	1996 – 2000
Georgia	September 1991 – 2000
Idaho	1996 – 2000
Iowa	1997 – 2000
Kansas	July 1, 1992 – 2000
Maryland	December 3, 1992 – 2000
Minnesota	August 1, 1981 – November 6, 1986
Nebraska	September 6, 1991 – 2000
Ohio	October 1990 – 2000
South Dakota	1998 – 2000
Tennessee	November 19, 1992 – 1996
Texas	2000
Utah	January 1, 1981 – 2000
Virginia	1998 – 2000
West Virginia	May 23, 1984 – 2000

States with Laws That Require One-Parent Consent

Alabama	September 23, 1987 – 2000
Indiana	September 1984 – 2000
Kentucky	July 15, 1994 – 2000
Louisiana	November 18, 1981 – 2000
Maine	September 30, 1989 – 2000
Massachusetts	April 15, 1981 – 2000
Michigan	March 28, 1991 – August 5, 1992 March 31, 1993 – 2000
Missouri	June 15, 1983 – November 4, 1983 August 7, 1985 – 2000
North Carolina	1996 – 2000
Pennsylvania	March 20, 1994 – 2000
Rhode Island	September 1, 1982 – 2000
South Carolina	May 26, 1990 – 2000
Tennessee	1999
Wisconsin	July 1, 1992 – 2000
Wyoming	June 8, 1989 – 2000

States with Laws That Require Two-Parent Notification

Minnesota October, 1990 – 2000
North Dakota March 31, 1981 – 2000

States with Laws That Require Two-Parent Consent

Mississippi May 26, 1993 – 2000

Appendix F: States where Medicaid pays for Therapeutic Abortions 1981-2000³²

<u>State</u>	<u>Year</u>
Alaska	January 1, 1981 – 1998, 2000
California	January 1, 1981 – 2000
Colorado	January 1, 1981 – June 4, 1985
Connecticut	January 1, 1981 – February 15, 1981 October 9, 1981 – 2000
D.C.	January 1, 1981 – October 1, 1988 October 29, 1993 – 1997
Georgia	January 1, 1981 – March 15, 1981
Hawaii	January 1, 1981 – 2000
Idaho	1995 – 1998
Illinois	December 2, 1994 – 1998
Maryland	January 1, 1981 – 1997, 1999 – 2000
Massachusetts	January 1, 1981 – 2000
Michigan	January 1, 1981 – December 12, 1988

³² Data obtained from Jon Merz, Catherine Jackson, and Jacob Klerman, "A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994." *Women's Rights Law Reporter* 17, no. 1 (1995), pp. 12-57; *Who Decides? 1992* (Washington, D.C.: NARAL Foundation, (various years)).

Minnesota	1995 - 2000
Montana	1996 - 2000
New Jersey	January 1, 1981 - 2000
New Mexico	December 1, 1994 - 1995 1999 - 2000
New York	January 1, 1981 - 2000
North Carolina	January 1, 1981 - 1995
Oregon	January 1, 1981 - 2000
Pennsylvania	January 1, 1981 - February 15, 1985
Vermont	September 28, 1984 - 2000
Washington	January 1, 1981 - 2000
West Virginia	January 1, 1981 - 2000

Appendix G: States with Informed Consent Laws 1981-2000³³

<u>State</u>	<u>Year</u>
Alabama	1992 - present
California	1993 - present
Connecticut	1993 - present
Delaware	1992 - present
Florida	1992 - 1997
Idaho	1992 - present
Illinois	1993 - 1994

³³ Data obtained from *Who Decides? 1992* (Washington, D.C.: NARAL Foundation, (various years)).

Kansas	1993 – present
Kentucky	1992 – present
Louisiana	1992 – present
Maine	1995 – present
Massachusetts	1992 – present
Michigan ³⁴	October 26, 1998 – February 1, 1999 September 15, 1999 – 2000
Minnesota	1993 – present
Mississippi	1993 – present
Montana	1992 – 1995
Nebraska	1992 – present
Nevada	1992 – present
North Dakota	1995 – present
Ohio	1992 – 1993, 1995 – present
Pennsylvania	1992 – present
Rhode Island	1992 – present
South Carolina	1993 – present
South Dakota	1992 – present
Tennessee	1992 – present
Texas	1993 – 1995
Utah	1992 – present

³⁴ Information obtained from Michigan Right to Life website
http://www.rtl.org/html/legislation/woman_t_right_to_know.html

Virginia	1992 – present
Wisconsin	1992 – 1996, 1999 – present

Appendix H: States with Partial Birth Abortion Bans 1981-2000³⁵

<u>State</u>	<u>Years</u>
Alabama ³⁶	1998 – 2000
Georgia ³⁷	1998 – 2000
Indiana	1998 – 2000
Kansas	1999 – 2000
Mississippi	1998 – 2000
Nebraska ³⁸	1997
North Dakota	2000
Oklahoma	1999 – 2000
South Carolina	1998 – 2000
South Dakota	1998 – 2000
Tennessee	1998 – 2000
Utah	1997 – 2000
Virginia ³⁹	1999 – 2000

³⁵ Data obtained from *Who Decides?* (Washington, D.C.: NARAL Foundation, (various years)).

³⁶ A Judge in Alabama ruled that partial birth abortions are allowed if they are necessary to save the life of the mother.

³⁷ A Judge in Georgia ruled that partial birth abortions are allowed if they are necessary to save the life of the mother.

³⁸ A Judge in Nebraska ruled that partial birth abortions are allowed if they are necessary to save the life of the mother.

³⁹ A Judge in Virginia ruled that partial birth abortions are allowed if they are necessary to save the life of the mother.