MEMORANDUM IN SUPPORT OF:
S.240/A.21

Subject: AN ACT to amend the public health law, in relation to enacting the reproductive health act and revising existing provisions of law regarding abortion; to amend the penal law, the criminal procedure law, the county law and the judiciary law, in relation to abortion; to repeal certain provisions of the public health law relating to abortion; to repeal certain provisions of the education law relating to the sale of contraceptives; and to repeal certain provisions of the penal law relating to abortion.

The League of Women Voters of New York State strongly supports this legislation which would codify Roe v. Wade in New York State. Most importantly it would remove from Penal law references to abortion as homicide, manslaughter or criminally negligent homicide thereby protecting medical practitioners who care for women accessing legal abortion in New York State.

In the face of increasing attacks on reproductive rights, New York’s laws need to clearly state their protection of women’s reproductive health and safety and reflect our current medical practice which is provided under federal law as interpreted in the Roe v. Wade decision.

The League of Women Voters of New York State has long supported a woman’s constitutional right to privacy in making reproductive choices. This legislation would add those protections in Roe v. Wade to New York State Public Health Law. It would protect New York women in the event that Roe v. Wade is no longer the law of the land.

The State would continue to regulate abortion in the same way it regulates other medical services. Consistent with Roe v. Wade, the Act would allow abortion up to 24 weeks and after that, only if there is a threat to the woman’s health or life.

This legislation will not force any hospital or individual to provide abortion. Nor will this legislation prevent the state from regulating abortion to ensure its safety. The NYS Department of Education will continue to license those qualified medical professionals who are permitted to perform abortions.

The League of Women Voters of New York State strongly urges your support for the Reproductive Health Act, which is designed to protect the fundamental right of individuals to make personal, private reproductive health care decisions.