



Written by [Raven Clabough](#) on May 29, 2015

## More States Considering Late-Term Abortion Bans

Over the last four years, the fight to protect innocent life has become more intense, with states across the country [passing 200 abortion-restricting laws](#). In particular, laws focused specifically on late-term abortions have gained traction since 2010, when the first 20-week abortion ban was passed. Since then, thirteen states have outlawed abortions after 20 weeks, and the movement continues as the U.S. House of Representatives approved a late-term abortion ban earlier this month, and legislatures in Wisconsin and South Carolina are considering similar measures.



*Wisconsin Public Radio* (WPR) reports that Wisconsin Republicans are seeking to “fast-track” a proposal to ban abortions after 20 weeks, citing evidence that fetuses feel pain during late-term abortions.

According to *WPR*, a joint hearing is scheduled before Assembly and Senate health committees for early next week, as the bill’s sponsors are hoping to pass it before debate on the state budget begins in June.

The bill is likely to have little issue passing with a Republican majority at the state Capitol, and Governor Scott Walker has already stated he would sign the bill into law upon passage.

“After 5 months, when an unborn child can feel pain, when there’s an inherent risk in terms of procedure, I think pro-life or not, I think the majority of people believe that’s a realistic requirement going forward. And I hope it’s something the Legislature passes,” said Walker.

The *Milwaukee-Wisconsin Journal Sentinel* reports the bill does not include exemptions for victims of rape or incest, or for fatal fetal anomalies. The bill makes exceptions in instances when the life of the mother is in immediate danger.

State Representative Jess Kremer, a co-sponsor of the bill, states that in cases of the baby being born with a life-threatening medical problem, the state would provide information regarding “perinatal hospice” care for the child and the mother through the birth and eventual death of the child.

In South Carolina, the state Senate has just approved a bill to ban abortions after 20 weeks, reports *Life News*. Because the bill was started in the state’s House, and was passed in the Senate with changes, the House must vote again on the newest measure before the bill returns to the Senate for another vote.

During House consideration, experts discussed the reality of fetal pain during abortions.

Dr. Stuart Hamilton, M.D., a Columbia University-trained pediatrician, addressed fetal development for members of the committee, indicating that scientific research reveals that an unborn child can feel pain at 20 weeks after fertilization.

“There is evidence for the probable appreciation of pain by 20 weeks gestation after fertilization,” Dr. Hamilton told the subcommittee. “Anatomically at 20 weeks, the examination of the nervous system displays the appropriate tracks in the central nervous system and the peripheral nerve fibers that are



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designed to transmit and carry pain impulses.”

By 16 weeks, he noted, the baby’s body shows “substantial neurological maturation.”

Dr. Tom Austin, M.D., a retired neonatologist and former director of Neonatology at the USC School of Medicine, also spoke in favor of the bill. He stated that his practice has treated babies prematurely born at 18 to 22 weeks. “They did show response to stimuli,” he said. “They would respond, move, recoil.”

Some experts claim that the unborn child feels pain even earlier than 20 weeks.

According to Dr. Maureen Condic, an associate professor of neurobiology and anatomy at the University of Utah who testified before Congress in 2013, fetuses can feel pain as early as eight weeks into the pregnancy. “The neural circuitry responsible for the most primitive response to pain, the spinal reflex, is in place by 8 weeks of development,” she explained in her testimony. “This is the earliest point at which the fetus experiences pain in any capacity.

In West Virginia, a newly passed late-term abortion ban took [effect](#) on Tuesday, three months after its passage. West Virginia is the thirteenth state to outlaw late-term abortions, though, as noted by the pro-abortion Guttmacher Institute, only 11 of those 13 states actually have a ban in effect.

The new law provides exemptions in the case of medical emergencies unrelated to psychological conditions or suicidal tendencies, but not in cases of rape or incest.

For the exempted cases, the bill requires doctors to terminate pregnancies in a way that provides “the best opportunity for the fetus to survive,” unless doing so would present an actual risk to the mother.

The West Virginia ban was overwhelmingly approved by the Republican legislature, which easily overrode the governor’s veto in March. Though the bill was supported by Democrats as well, Democratic Governor Earl Ray Tomblin, who touts himself as pro-life, vetoed the legislation over concerns that it would not pass constitutional muster. The Associated Press observes that the law resembles one that was struck down in Arizona in 2013 in a case that the Supreme Court decided not to reconsider.

Republicans in the U.S. House of Representatives approved a late-term abortion ban earlier this month after a controversial rape provision was removed from the bill’s language. Female Republican lawmakers had threatened to rebel against the bill if the provision remained in the bill.

The measure passed in a mostly party-line [242-to-184 vote](#), with one member voting present, reports the *New York Times*.

The bill, entitled the Pain-Capable Unborn Child Protection Act, forbids most abortions after the 20<sup>th</sup> week of pregnancy. In cases involving minors that were victims of assault, the measure allows abortions if the assault is reported to police or government agencies that serves child abuse victims. The bill does not make exceptions for adult incest.

The original rape provision required women who became pregnant through rape to report their assault to law enforcement authorities in order to be eligible for an abortion after 20 weeks. The new language requires victims of rape to receive medical care or counseling at least 48 hours before an abortion.

Late term abortion bans have been shown to be popular among the general public, according to a [January Marist University poll](#), which found that 84 percent of Americans support significant restrictions on abortion, and would limit abortions to the first three months of pregnancy. This includes 69 percent who identify themselves as “pro-choice” but who support such abortion limits and oppose



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late-term abortions.



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