



## Highlights of AUL’s 2016 “Life List”

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## *Overview: The Life List Represents Continuing Momentum toward protecting Life in Law*

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AUL's 2016 Life List All-Stars **reflect the continuing success of our insightful and highly effective Mother-Child strategy** which

- Recognizes that abortion harms both mother and child.
- Exposes the lie propagated by the abortion industry that a woman's interests are often at odds with those of her unborn child.
- Proves that to effectively protect women, you must legally protect the unborn. Similarly, to protect the unborn, you must protect their mothers.
- **This year's All-Stars have made the most progress implementing the goals of the Women's Protection Project and the Infants' Protection Project and enacting the component model legislation of both Projects.**
- These complementary compilations of expertly crafted AUL model **legislation protect women and their unborn children to the greatest extent permitted by the U.S. Constitution and the U.S. Supreme Court's abortion jurisprudence**, providing both immediate legal protection while also laying the groundwork for the day when women reject the fraudulent promises of the abortion industry and see abortion – not as a false panacea – but as a real threat to both their welfare and to their unborn children,
- **The states remain a key battleground in the defense of life.** State legislatures across the country continue to break new ground protecting women and their children from the negative consequences of abortion and ensuring that the abortion industry is subject to medically appropriate regulation and oversight.
- **State legislators continue to rely heavily on AUL experts and AUL model language for assistance in crafting life-affirming legislation.** In 2015, AUL realized 15 significant victories for Life.

- **Trends: Looking forward to 2016, AUL anticipates**
  - Significant legislative interest in its newly released ***Infants' Protection Project***, especially its Unborn Infants Dignity Act which ensures that all deceased infants receive respectful treatment; that families are informed of their options for burials for their infants and of the availability of fetal death certificates; and that the bodies of aborted infants are not exploited for scientific or pecuniary gain.
  - Growing interest in **medically appropriate health and safety standards for abortion providers, especially in light of the Supreme Court case, *Whole Woman's Health v. Cole***, which will be decided this spring.

## 2016 AUL All-Stars: States that Excelled in Defending Life in the Last Legislative Session

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### 1. **Arkansas:**

- Enacted 7 pieces of life-affirming, abortion-related legislation, mostly with AUL's help and using much of our language. Several of these new laws are components of the **Women's Protection Project**:
  - Enacted HB 1394, based on AUL's Abortion-Inducing Drugs Safety Act, requiring a physician to examine a woman before administering abortion-inducing drugs and requiring the physician to abide by FDA restrictions on the drugs.
  - Enacted HB 1578, based on AUL's Women's Right to Know Act, requiring that women be given information on abortion's risks and alternatives and on the ability of an unborn child to feel pain at/after 20 weeks (5 months) gestation. In addition, women must receive information on the ability to reverse the effects of chemical abortion.
  - Arkansas also enacted HB 1424, based on AUL's Parental Involvement Enhancement Act, requiring notarized parental consent before a minor's abortion, as well as proof of identification and the completion of a detailed informed consent form.
- Further, it enacted HB 569, based on AUL's Defunding the Abortion Industry and Advancing Women's Health Act, prohibiting the disbursement of federal and state funds to entities performing abortions or providing abortion referrals.
- Enacted law governing the disposition of fetal remains.

### 2. **Oklahoma:**

- Life List top state for 2016, the top state for the **Infants' Protection Project**, and in the top 3 for the **Women's Protection Project**.
- Enacted portions of AUL's Enforcement Module and Child Protection Act (both part of the **Women's Protection Project**) in 2015.

### 3. Texas:

- Enhanced its parental consent law in 2015, using AUL's Parental Involvement Enhancement Act (part of ***Women's Protection Project***).
- Continues its defense of HB 2 (enacted in 2013, based in part on AUL language, and is composed of the types of laws featured in ***Women's Protection Project***) and will be the "hot" topic of discussion within the movement for 2016 (given the Supreme Court's consideration of *Whole Woman's Health v. Cole*).

## Overall Life List (2016 Defending Life Ranking)

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### Most Protective States:

1. **Oklahoma (best): Brand-new #1 and AUL All-Star for 2016.**
2. **Kansas:** #5 state in both the *Women's Protection Project* and the *Infants' Protection Project* rankings.
3. **Louisiana:** Previous top state (6 years); in top 5 on the Life List, *Women's Protection Project*, and the *Infants' Protection Project* rankings.
4. **Arkansas:** AUL's top All-Star for 2016; enacted 7 life-affirming, abortion-related measures in 2015.
5. **Mississippi:** Has enacted AUL's Women's Health Defense Act which is common to both the *Women's Protection Project* and the *Infants' Protection Project* and protects women and their children from dangerous late-term abortions.
6. **Nebraska**
7. **Indiana**
8. **North Dakota**
9. **Missouri**
10. **Texas:** AUL All-Star for 2016. As in 1973 when *Roe v. Wade* was decided, Texas could again be pivotal in changing national abortion laws, as the Supreme Court debates much-needed health and safety standards for abortion facilities in *Whole Woman's Health v. Cole*.

### Least Protective States:

1. **Washington (worst): Worst state for 7<sup>th</sup> year in a row**
2. **Vermont**
3. **New Jersey**

4. **California:** Legalized assisted suicide in 2015 and continued attacks on life-affirming mission of pregnancy centers.
5. **Oregon**
6. **Nevada**
7. **New York:** Situation was not made worse by the enactment of the Women’s Equality Act (which sought to invalidate all current and future protective, abortion-related laws). AUL helped to defeat this measure (for the second year in a row).
8. **Hawaii**
9. **Connecticut**
10. **Wyoming**

**2016 Life List, Women’s Protection Project, and Infants’ Protection Project Rankings:**

<b>2016 Life List</b>	<b>2016 WPP Rankings</b>	<b>2016 IPP Rankings</b>
1. Oklahoma	1. Alabama	1. Oklahoma
2. Kansas	2. Mississippi	2. Mississippi
3. Louisiana	3. Oklahoma	3. Louisiana
4. Arkansas	4. Louisiana	4. Indiana
5. Mississippi	5. Kansas	5. Kansas
6. Nebraska	6. Arkansas	6. North Dakota
7. Indiana	7. Indiana	7. South Dakota
8. North Dakota	8. Missouri	8. Alabama
9. Missouri	9. Nebraska	9. Nebraska
10. Texas	10. Texas	10. Texas

- All three lists are substantially similar, affirming the astute and effective nature of AUL’s unique Mother-Child strategy and innovative Women’s Protection Project and Infants’ Protection Project.

- Seven states (Indiana, Louisiana, Kansas, Mississippi, Nebraska, Oklahoma, and Texas) are on all three lists.
- This is the inaugural ***Infants' Protection Project*** ranking. It will be expanded in future years to capture all laws providing legal recognition and protection of the unborn (e.g., fetal death certificates, informed consent about certificates and burial options for miscarried and stillborn infants, etc.).

## AUL's Prolific Legislative "Footprint"

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- Americans United for Life and AUL Action continue to spearhead state legislative efforts to enact life-affirming laws that build on significant gains over the last several years and that lay the groundwork for future victories in 2016 and beyond.
- AUL remains the leading advocate for laws (1) protecting women and girls from the physical and psychological harms of abortion and from the dangerous and substandard facilities and practices that are all too common in America's abortion industry (the **Women's Protection Project**); and those (2) providing legal recognition and protection for unborn infants (the **Infants' Protection Project**).
  - Specifically, AUL's **Women's Protection Project** features laws that protect women from a profit-driven abortion industry that consistently ignores the deadly consequences of abortion. These laws include high-quality and comprehensive health and safety standards for abortion providers, limits on dangerous late-term and chemical abortions, and assurances of fully informed consent prior to an abortion.
  - AUL's **Infants Protection Project** features laws that protect unborn infants from eugenics, barbaric late-term abortion procedures, and pain; that afford legal protection and recognition to unborn children outside of the context of abortion; that ensure that mothers facing a poor prognosis for their unborn children are informed about the availability of hospice care for their families; and that recognize a deceased unborn infant's right to a dignified treatment, including a respectful burial.
- **AUL Victories and Influence:**
  - **AUL and AUL Action realized 15 significant victories for Life in 2015:**  
Enacted Measures
    - **Arizona enacted SB 1318 which includes AUL model language amending the state's informed requirements to include information on the ability to reverse chemical abortions.** With the advice of AUL, SB 1318 also modified an existing state law prohibiting insurance plans purchased through the state health

**insurance Exchanges** (required under the federal healthcare law) from covering abortions.

- **Arkansas** enacted HB 1394, based on AUL's Abortion-Inducing Drugs Safety Act, **requiring a physician to examine a woman before administering abortion-inducing drugs and requiring the physician to abide by the FDA restrictions on the drugs.**
- **Arkansas** enacted HB 1578, based on AUL's Women's Right to Know Act, **requiring that women be given information on abortion's risks and alternatives and on the ability of an unborn child to feel pain at/after 20 weeks (5 months) gestation. In addition, women must receive information on the ability to reverse the effects of chemical abortion.**
- **Arkansas** also enacted HB 1424, based on AUL model language, **requiring notarized parental consent before a minor's abortion, as well as proof of identification and the completion of a detailed informed consent form.**
- Further, **Arkansas** enacted HB 569, based on AUL's Defunding the Abortion Industry and Advancing Women's Health Act, **prohibiting the disbursement of federal and state funds to entities performing abortions or providing abortion referrals.**
- **Idaho** enacted HB 88 which **requires a physician to examine a woman before administering abortion-inducing drugs.** AUL provided a letter in support of the measure.
- **North Dakota** enacted SB 2275, partially based on AUL model legislation, **enhancing penalties for sex traffickers who coerce or force their victims to undergo abortions.**
- **Ohio's budget** amends the state's admitting privileges requirement for abortion providers, **requiring that privileges be maintained at a hospital within 30 miles of the abortion facility.**
- **Oklahoma** enacted SB 642 based on AUL's Enforcement Module and Child Protection Act, **providing civil and criminal remedies for violations of the state's abortion-related laws (including its**

**parental involvement law) and mandating more comprehensive inspections of abortion facilities.**

- **Texas** enacted HB 3994, partially based on AUL model legislation, **enhancing its parental consent law**. The new law creates a presumption that a patient is a minor unless valid government identification is shown; strengthens the prescribed judicial bypass procedure by limiting the venue options for filing a bypass request; requiring that the minor must be present in court for the hearing (i.e., no teleconferencing); requiring that the judge find by “clear and convincing evidence” that the minor should be granted a judicial bypass of the parental consent requirement; and prescribing the factors the judge will consider in making this determination. The measure also includes a provision amending the state’s abortion reporting law to specify that a minor’s claim that she is being physically or sexually abused constitutes reason to believe that abuse has occurred.

#### Resolutions Adopted

- The **Arkansas House and Senate** both adopted resolutions (HR 1019 and SR 24, respectively) which are based on AUL model language and **recognize the contributions of pregnancy resource centers**.
- The **Colorado Senate** adopted a resolution (SR 15-003) which is based on AUL model language and **recognizes the contributions of pregnancy resource centers**.

#### Defeat of Anti-Life Measures

- With the help of AUL legal and policy experts, **New York’s omnibus Women’s Equality Act**, comprised of 10 different provisions including one granting expansive legal protection to abortion and invalidating all current and future protective abortion-related laws was defeated. The different provisions of the law were later separated out, and the legislature subsequently passed only a measure strengthening state laws against human trafficking.
- AUL Action helped allies in **Connecticut defeat a bill legalizing assisted suicide**.

- **AUL and AUL Action were also actively involved with 35 additional life-affirming measures in 21 states.** (These measures did not pass, but lay the groundwork for future advances.) Of these, 28 were related to abortion.
- **AUL experts fielded 415 legislative consulting requests in 34 states.** (This total includes multiple requests on the same measures.)
- **AUL distributed more than 700 policy guides/copies of our model legislation** in 2015.
- **AUL provided testimony and/or letters or other statements of support for 12 life-affirming measures.**
- ***Overall Pro-Life Progress – Notable Trends:***

#### Abortion

- At least 30 life-affirming abortion measures were enacted in 2015, and 5 pro-life resolutions were adopted.
  - 3 additional pro-life measures were vetoed in Montana.
  - 2 pro-abortion resolutions were adopted.
- 48 states considered approximately 315 measures related to abortion, a 17 percent increase from 2014 activity levels.
- Significant abortion-related measures considered in 2015 include 5 month abortion limitations, health and safety standards for abortion facilities, admitting privileges requirements for abortion providers, and regulations on the administration of abortion-inducing drugs.
- In 2015, there was a notable increase in measures seeking to undermine existing state laws and policies regulating and limiting abortion. Twenty-seven (27) such measures were introduced, but none of these measures were yet enacted.

#### Legal Recognition and Protection of the Unborn

- States enacted 4 measures providing legal recognition and protection of the unborn and newly born (outside the context of abortion). Measures enacted in 2015 governed the disposal of fetal remains and substance abuse treatment for pregnant women.

## Biotechnologies

- States enacted 14 measures related to biotechnologies.
- With regard to funding measures, more states (4) enacted measures funding ethical forms of research (e.g., such as that involving adult stem cells) than enacted measures funding destructive embryo research (3).
- The number of measures related to biotechnologies continued to decrease in 2015. (This annual decrease began in 2010.)

## Healthcare Freedom of Conscience

- More states (9) considered measures to compel conscience than considered measures protecting healthcare freedom of conscience (7).

## End of Life

- 30 measures related to the end of life were enacted. (Most are “mixed,” containing both life-affirming and questionable components.)
- States considered 370 measures related to the end of a life, a nearly two-fold increase from 2014 activity levels.
- 25 states and DC considered measures legalizing assisted suicide.
- 27 states considered so-called “right to try” measures, making investigative (non-FDA approved) drugs more readily available to those with terminal illnesses.