



MISSOURI

MISSOURI AT A GLANCE

EXISTENCE AND STATUS OF ABORTION BAN	STATE CONSTITUTIONAL PROTECTION OF ABORTION RIGHTS	STATUTORY PROTECTION OF ABORTION RIGHTS	OTHER FACTORS
No ban	None established	None	Statutory language indicates intent to regulate abortion as permitted by federal law and to protect life of unborn; highly vulnerable to enactment of new ban

RISK FACTORS	HIGH	MEDIUM	LOW
--------------	------	--------	-----

Existence and Status of Abortion Ban: No abortion ban. The legislature repealed its pre-*Roe* ban.

State Constitutional Protection of Abortion Rights: None established.

Statutory Protection of Abortion Rights: None.

Other Factors: It should be noted that Missouri has indicated its intention to regulate abortion to the fullest extent possible if *Roe* is overturned. By statute, the state has declared:

It is the intention of the general assembly of the state of Missouri to grant the right to life to all humans, born and unborn, and to regulate abortion to the full extent permitted by the Constitution of the United States, decisions of the United States Supreme Court, and federal statutes.¹⁰⁰

Given the abortion restrictions enacted in the past¹⁰¹ and the current composition of the legislature, it is likely that, if *Roe* is overruled, Missouri will ban abortion as soon as the legislature has the opportunity to act.

¹⁰⁰ MO. ANN. STAT. § 188.010; *see also id.* § 1.205 (finding that life begins at conception and providing “[e]ffective January 1, 1988, the laws of this state shall be interpreted and construed to acknowledge on behalf of the unborn child at every stage of development, all the rights, privileges, and immunities available to other persons, citizens and residents of this state, subject only to the Constitution of the United States, and decisional interpretations thereof by the United States Supreme Court and specific provisions to the contrary in the statutes and constitution of this state.”)

¹⁰¹ *See e.g.* MO. ANN. STAT. § 188.020 (physician-only law); § 188.025 (hospitalization requirement for abortions after 16 weeks); § 188.028 (parental consent law); § 188.043 (requiring \$500,000 medical malpractice insurance to perform abortions); § 188.052 (abortion reporting requirements).

Conclusion: There is no ban on the books but the legislature will likely enact a ban if *Roe* is overturned.

Legislative Session in Missouri: Jan. 5 – May 30, 2005

Source: National Conference of State Legislators (NCSL) website
<http://www.ncsl.org/programs/legman/about/sess2005.htm>