

# BURGUM SIGNED A NEAR-TOTAL ABORTION BAN INTO LAW

## Highlights:

- Doug Burgum signed a near-total abortion ban with limited exceptions.
  - Under the law, abortions were allowed in cases of rape or incest up to six weeks' gestation.
  - Under the law, abortions were allowed to treat medical emergencies at any stage of pregnancy.
- Under the law, providers could face criminal charges if they violated the allowable exceptions laid out in the legislation.
- Doug Burgum declared North Dakota a “pro-life” state.

## Burgum Signed A Total Abortion Ban Into Law With Limited Exceptions

### BURGUM SIGNED LEGISLATION BANNING ABORTION AT NEARLY ANY POINT IN PREGNANCY

**Burgum Signed Legislation Banning Abortion At Nearly Any Point In Pregnancy.** According to the Associated Press, “North Dakota on Monday adopted one of the strictest anti-abortion laws in the country as Republican Gov. Doug Burgum signed legislation banning the procedure throughout pregnancy, with slim exceptions up to six weeks’ gestation. In those early weeks, abortions would only be allowed in cases of rape or incest, or in medical emergencies. After six weeks, rape and incest victims cannot get abortions. Abortions to treat some medical emergencies, such as ectopic pregnancies, are allowed at any stage of pregnancy.” [Associated Press, [4/25/23](#)]

#### Under The Law, Abortions Were Allowed In Cases Of Rape Or Incest Up To Six Weeks’ Gestation

**Under The Law, Abortions Were Allowed In Cases Of Rape Or Incest Up To Six Weeks’ Gestation.** According to the Associated Press, “North Dakota on Monday adopted one of the strictest anti-abortion laws in the country as Republican Gov. Doug Burgum signed legislation banning the procedure throughout pregnancy, with slim exceptions up to six weeks’ gestation. In those early weeks, abortions would only be allowed in cases of rape or incest, or in medical emergencies. After six weeks, rape and incest victims cannot get abortions.” [Associated Press, [4/25/23](#)]

#### Under The Law, Abortions To Treat Medical Emergencies Were Allowed At Any Stage Of Pregnancy

**Under The Law, Abortions To Treat Medical Emergencies Were Allowed At Any Stage Of Pregnancy.** According to the Associated Press, “Abortions to treat some medical emergencies, such as ectopic pregnancies, are allowed at any stage of pregnancy.” [Associated Press, [4/25/23](#)]

### UNDER THE LAW, PROVIDERS COULD FACE CRIMINAL CHARGES IF THEY VIOLATED THE LAW’S EXCEPTIONS

**Providers Could Face Criminal Charges If They Violated The Exceptions Detailed In The New Law.** According to the New York Times, “The new law, which takes immediate effect, is a dramatic shift for the state, where abortions had been legal up until 22 weeks of pregnancy. Under the earlier ban, providers who performed an abortion to save the life of a mother could face felony prosecution. The provider would need to offer an ‘affirmative defense’ proving that the abortion was medically necessary within the confines of the state law. Under the new version of the law, the exceptions do not require an affirmative defense from providers. But providers could still face criminal charges if they violate the exceptions detailed in the law.” [New York Times, [4/24/23](#)]

### BURGUM SAID NORTH DAKOTA WAS A “PRO-LIFE STATE”

**Burgum Said The Abortion Ban Legislation Reaffirmed “North Dakota As A Pro-Life State.”** According to the Associated Press, “This bill clarifies and refines existing state law ... and reaffirms North Dakota as a pro-life state,’ Burgum said in a statement.” [Associated Press, [4/25/23](#)]