



## Building a Culture of Life in Tennessee

As the result of many years of focused efforts by leaders and advocates in the state's pro-life movement, Tennessee is a national leader in the passage of common-sense protective policies that affirm the life and dignity of abortion-vulnerable women and unborn children in our state. We have benefited from the legal counsel of the nation's top pro-life constitutional attorneys who have helped to shepherd our efforts and draft our protective laws to stand against inevitable challenge. Among those policies are the following:

- 2022 **Trigger Law** takes effect **August 25, 2022** restoring the pre-Roe protections for unborn children. Abortion is illegal in Tennessee.
- 2022 **Telemed Abortion Ban** makes it a criminal offense in Tennessee to prescribe RU-486 without being in the physical presence of the patient.
- 2022 **Abortion Influence Education Bill** prohibits schools from allowing any entity who promotes, induces or performs abortions from teaching sex-ed in Tennessee public schools.
- 2021 **Prenatal Life and Liberty Act** expands the definition of wrongful death victim to include all unborn children and prohibits lawsuits against doctors when parents claim they would rather have aborted their child than give birth.
- 2021 **Unborn Child Dignity Act** requires that the fetal remains of an unborn child that has been aborted be buried or cremated.
- 2020 **Abortion Pill Reversal Act** which requires abortionists to inform women of the possibility that the woman could potentially reverse the effects of her abortion pill and potentially save the child's life. (Currently enjoined by the U.S. District Court in the Middle District of Tennessee).
- 2019 **Human Life Protection Act (Trigger Law)** which will fully restore Tennessee's pre-Roe protections for women, girls, and unborn children upon the overturn, in whole or part, of *Roe v Wade*. Will prohibit abortion except to protect the life of the mother.
- 2018 **Prioritization of Title X Funds for Public Health Departments.** This law creates a tiered system of distributing Title X family planning funds with ethical public health care providers at the top and private non-profit organizations such as Planned Parenthood at the bottom. It redirects funding without "discriminating" against specific providers who would be likely to sue to regain the funding.
- 2017 **Abortion is banned** on viable unborn children. Medical assessment is required at 20<sup>th</sup> week of pregnancy to determine if unborn child is viable.
- 2016 **Signed consent** required by mother considering abortion which documents the method by which the remains of her child will be disposed.
- 2016 **Ban on the sale of fetal tissue** and fetal remains in Tennessee.
- 2015 **Informed consent** for women and girls considering abortion which must be provided in person by the physician performing the abortion. This information includes gestational age and development of the unborn child, possible risks of the procedure based on the woman's individual health history, and information regarding public and private assistance available to the woman and her family.
- 2015 **A 48 Hour Waiting period** in order to reduce coerced abortions and to allow time to carefully consider the information and resources provided by informed consent provisions.
- 2015 **Required inspection and licensure** by the TN Dept. of Health of any facility performing abortions in TN (including hospitals, physician offices, clinics and any other facility.) Two unlicensed facilities challenged this statute in 2015 and is not enforced due to the U.S. Supreme Court 2016 decision in *Whole Woman's Health vs. Hellerstedt*.

- 2014 Tennessee became one of only a few states to effectively **propose and win a pro-life Amendment to their state Constitution**. After 14 years of work and millions of dollars contributed by pro-life Tennesseans, Amendment 1 was passed 53% - 47% by Tennessee voters and was unsuccessfully challenged in federal court by Planned Parenthood and other pro-abortion entities.\*
- 2012 Abortion providers must have **admitting privileges** at a nearby hospital. Two unlicensed facilities challenged this statute in 2015 and is not enforced due to the U.S. Supreme Court 2016 decision in *Whole Woman's Health vs. Hellerstedt*.
- 2011 **Ban on the practice of dispensing abortion pills by telemedicine**.
- 2011 **Unborn Victims of Violence Act** among the nation's strongest in which an unborn child at any age of development may be considered a separate victim of assault or murder when such crimes are perpetrated against a pregnant woman.
- 2011 **Planned Parenthood has been effectively defunded** by policy of the Haslam Administration which redirects federal family planning funds to legitimate healthcare providers which do not promote or provide abortions.
- 2010 **Abortion is prohibited in health plans** offered in Tennessee's health exchanges under the Affordable Care Act.
- 2010 **Coercion is criminal** and no person may compel, coerce, or exercise duress toward any other person in order to obtain or procure an abortion.
- 2010 **Abortion facilities must post the state's non-coercion policy** in waiting and counseling areas.
- 2005 **Choose Life specialty plate** consistently ranked among top 10 best-selling plates in TN, raising more than 1 million dollars for life-affirming agencies and efforts in our state. (2005-2018)
- 2003 By enactment of the Choose Life plate, Tennessee establishes a preference for natural childbirth over abortion.
- 2001 **No state tax dollars** may be used for abortion except in the limited circumstances required by the federal Hyde Amendment (rape, incest, life of the mother.)
- 2001 **RU 486** is regarded by state law as an abortifacient and all **regulations** of surgical abortion are also applied to chemical abortions.
- 1997 **Partial-birth abortion method** is criminal in Tennessee.
- 1995 **Parental consent** before any girl aged 17 and younger may obtain an abortion in Tennessee.
- 1993 **Doctor-assisted suicide** is banned in Tennessee. In 2015, Tennessee's law banning assisted suicide was upheld in Court. In 2016 and again in 2017, so-called Death with Dignity legislation was introduced but soundly defeated.
- 1973 Only **licensed physicians** may perform abortions in Tennessee.
- 1973 **Conscience Protection**: Physicians and hospitals may not be forced against their will to participate in abortions.

Of importance, Tennessee is one of only 2 states in which the state Right to Life affiliate limits endorsement of candidates to only those taking a full 100% pro-life position.

Through the sacrificial work, prayers and combined efforts of Tennessee' pro-life citizens, Tennessee enjoys a pro-life super-majority in the state House and state Senate, a pro-life Governor and 2 U.S. Senators who take the pro-life position. Tennessee's congressional delegation is similarly made up by **7 of 9 U.S. Representatives** taking strong pro-life positions and leadership.

There were 9,987 abortions performed in Tennessee in 2018. This is an increase of 1,351 from 2017.

*\*Any legislative proposal should be measured against the likelihood that, if challenged, it will potentially weaken or encumber the ultimate goal of restoring full legal protection to every vulnerable person including the unborn, the infirm and the elderly. Ultimately, unless a demonstrated majority exists on the U.S. Supreme Court to uphold any given policy, pro-abortion lawsuits challenging well-intentioned but poorly-constructed state and federal laws hold the real threat of doing more harm than good by allowing a pro-abortion majority on any court to re-affirm the core holdings of the wrong Roe v. Wade decision.*