

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 12

Short Title: Codify Roe and Casey Protections. (Public)

Sponsors: Senator Batch (Primary Sponsor).

Referred to: Rules and Operations of the Senate

January 26, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO CODIFY THE ESSENTIAL HOLDINGS OF ROE V. WADE AND PLANNED
3 PARENTHOOD OF SOUTHEASTERN PA V. CASEY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 90 of the General Statutes is amended by adding a new Article
6 to read:

7 "Article 1M.

8 "Codify Roe and Casey Protections.

9 **"§ 90-21.140. Short title.**

10 This Article shall be known and may be cited as "Codify Roe and Casey Protections."

11 **"§ 90-21.141. Purpose.**

12 The purpose of this Article is to codify the essential holdings of Roe v. Wade, 410 U.S. 113
13 (1973), and Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833 (1992).

14 **"§ 90-21.142. Allowable requirements.**

15 (a) The State shall not impose an undue burden on the ability of a woman to choose
16 whether or not to terminate a pregnancy before fetal viability.

17 (b) The State may do any of the following:

18 (1) Restrict the ability of a woman to choose whether or not to terminate a
19 pregnancy after fetal viability, unless such a termination is necessary to
20 preserve the life or health of the woman.

21 (2) Enact laws, rules, or regulations, as applicable, to further the health or safety
22 of a woman seeking to terminate a pregnancy.

23 (c) For the purposes of this section, the term "undue burden" means any burden that
24 places a substantial obstacle in the path of a woman seeking to terminate a pregnancy prior to
25 fetal viability.

26 (d) Nothing in this Article shall be construed to have any effect on laws regarding
27 conscience protection."

28 **SECTION 2.** There is appropriated from the General Fund to the Office of State
29 Budget and Management the nonrecurring sum of twenty-five thousand dollars (\$25,000) for the
30 2023-2024 fiscal year to provide a grant to the North Carolina Obstetrical and Gynecological
31 Society, a nonprofit corporation, to educate providers about the provisions of this act.

32 **SECTION 3.** Section 2 of this act becomes effective July 1, 2023. The remainder of
33 this act is effective when it becomes law.

