

Comments on H.57 for the House Judiciary Committee
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H.57 passed out of the Human Services Committee after being amended. Those two amendments made no substantive difference in the Bill. It still allows unrestricted abortion at any point in pregnancy.

Some Legislators have implied that the Federal Partial-Birth Abortion Ban Act prohibits abortions in the late stages of pregnancy. It does not. It prohibits one specific type of abortion procedure. There are other types of abortion procedures used to abort babies in the second and third trimesters of pregnancy – procedures used at the UVM Medical Center. Abortions after fetal viability are currently legal in Vermont and would remain legal under H.57.

While most of the attention on H.57 thus far has focused on the legal status of abortion, the testimony taken in the House Judiciary Committee confirms that H.57 will make significant changes to Vermont law. It will protect abortion above childbirth, and will restrict pro-life free speech.

Section 9497 prohibits a public entity from restricting access to abortion. It does not, however, prohibit restricting access to childbirth. Under H.57, individuals, including abortion providers could have a right of action against the state, should they for example be denied a Certificate of Need for an abortion facility, or an across-the-board reduction in funding for health care programs reduces tax-payer funding for abortion. Providers and recipients of other medical services would not have such a right.

Because many of the terms in the Bill are vague and undefined, it is unknown the full extent of the impact. Testimony in the House Judiciary Committee confirms that schools, as public entities, would be affected by this legislation. It appears pro-abortion messages in our schools would be protected, while anti-abortion messages would be subject to restriction.

H.57 is not just a codification of current abortion practice in Vermont, it is far-reaching Bill intended to promote and protect abortion above other alternatives in our State.