

# Timeline of Utah Abortion Code (2019-2023)

## Reference Links:

HB 467 "Clinic Ban" (2023) - <https://le.utah.gov/~2023/bills/static/HB0467.html>

SB 174 "Trigger Ban" (2020) - <https://le.utah.gov/~2020/bills/static/SB0174.html>

HB 136 "18-week Ban" (2019) - <https://le.utah.gov/~2019/bills/static/HB0136.html>

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## Post-viability ban code (pre-2019)

*76-7-302 Circumstances under which abortion authorized*

-Prior to all recent measures to restrict or end abortion access in Utah (HB 136, SB 174, HB 467), the Utah code section 76-7-302 restricted abortions only after viability.

## 18-week code (2019)

*76-7-302.5, Circumstances under which abortion prohibited*

-In 2019, the Utah Legislature passed HB 136 to establish an 18-week ban in a new section of code 76-7-302.5 that overlaid an 18-week ban on the existing viability ban.

-The 18-week ban created by HB 136 was blocked by an injunction in April 2019 before it could go into effect.

-HB 136's 18-week ban later became the gestational limit in Utah during the summer of 2023 when PPAU had to dismiss the federal case against the law and therefore lost the court injunction against the 18-week ban. The current gestational limit in Utah for abortion remains 18 weeks.

- HB 467 repealed 76-7-302.5 and amended the code related to the post-viability ban (76-7-302) to lower the gestational age limit to 18 weeks and restrict the rape or incest exception to 18 weeks gestation. In summary, HB 467 moved the 18-week ban between two sections of code: from 76-7-302.5 to 76-7-302 and repealed 76-7-302.5.

## Trigger ban code (2020)

*76-7a-201 Abortion prohibition -- Exceptions -- Penalties*

-In 2020, the Utah Legislature passed SB 174 to eliminate all abortion access except for certain narrow exceptions. The new restrictions were added to a new section of code titled, "76-7a-201 Abortion prohibition -- Exceptions -- Penalties."

-SB 174 did not repeal prior code sections related to abortion.

-SB 174 was later blocked by a court injunction in July 2022 shortly after it went into effect following the *Dobbs* court ruling on June 24, 2023.

## Clinic ban code (2023)

*76-7a-201 Abortion prohibition -- Exceptions -- Penalties (amended, blocked)*

*76-7-302 Circumstances under which abortion prohibited (amended, active)*

*76-7-302.5 Circumstances under which abortion prohibited (repealed)*

-In 2023, the Utah Legislature passed HB 467, which amended 76-7a-201 (SB 174, Trigger ban) to include updated language on exceptions related to the life and health of the patient and fetal abnormalities. These changes remain stopped by the July 2022 injunction against SB 174, the "trigger ban," which blocks this section of code.

-HB 467 also amended 76-7-302 (post-viability ban, pre-2019) to include the same updated language on exceptions related to the life and health of the patient and fetal abnormalities. These changes remain active and unblocked by either the trigger ban injunction or the clinic ban injunction.

-HB 467 repealed the statute (76-7-302.5) establishing an 18-week ban that was passed by the Legislature as HB 136 in 2019. Instead, HB 467 amended the older statute related to the post-viability ban (76-7-302) to lower the gestational age limit to 18 weeks and to restrict the rape or incest exception to 18 weeks gestation. In summary, HB 467 moved the 18-week ban between two sections of code: from 76-7-302.5 to 76-7-302 and repealed 76-7-302.5.