

Morning-After Pill Ban Proposed by Republicans

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A bill banning the morning-after pill was proposed by 12 [Republican](#) state lawmakers in North Dakota.

The "personhood bill," HB1373, would make abortion a crime that could be prosecuted similarly to murder and assault, and defined an "unborn child" as development beginning from conception.

This would make taking the morning-after pill—commonly known by its brand name Plan B, which is taken soon after unprotected sex as a precautionary emergency contraceptive—a criminal offense in North Dakota.



Main: A morning-after pill from Lil' Drug Store Products Inc. which expanded its access and affordability of emergency contraception in partnership with Cadence OTC. Inset: North Dakota state Representative Lori VanWinkle, who championed a bill... **More MAIN:**
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Why It Matters

This bill was introduced by 12 [Republicans](#) but was voted down by the Republican-majority House, with opponents saying that even though they are against abortion, the bill would be too hard to enforce and imposes too harsh punishments on women, per Inforum.

At the federal level, [making it harder to access emergency contraception](#) is [a component of Project 2025](#), the conservative playbook for the Trump presidency.

Project 2025 wants to remove "no-cost coverage" of emergency contraception, a stipulation under the Affordable Care Act (ACA) which states that private insurers cannot charge extra for birth control and the morning-after pill. If this is removed, the morning-after pill will become significantly more costly for millions of women.

What To Know

The "personhood bill" was brought to the floor by 12 House and [Senate](#) members, and championed by Representative Lori VanWinkle.

The goal of the bill is to "create and enact a new section to Chapter 12.1-16, a new section to chapter 12.1-17, and two new sections to chapter 32-21 of the North Dakota Century Code, relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts."

It goes on to say that "human being" includes an "unborn child," and that an "unborn child" is "an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum."

This [not only would criminalize the morning-after pill](#), but critics feared it would affect In Vitro Fertilization (IVF), as in order to undergo IVF, people need to select viable embryos to be transferred to their uterus.

Supporters of the bill have said it would not interfere with IVF because the bill contains stipulations for allowing necessary medical care.

However, IVF providers said the bill is too vague and does not set out clearly whether people who undergo the IVF selection process will or will not be prosecuted for murder.

VanWinkle did little to assuage IVF providers, when she said on the House floor: "Perhaps women are going to the IVF clinics because judgment is on their womb and God has effectively closed their womb."

She also said work shortages in the country may be the result of people having abortions.

Newsweek has contacted VanWinkle via email for comment.

The bill was criticized by Chris Dodson, general counsel and co-director of the North Dakota Catholic Conference, who said it was "obviously unconstitutional," per the North Dakota Monitor.

The bill failed in a 77-16 vote, with one Republican lawmaker telling InForum that VanWinkle's speech was "psychotic." Republicans hold 83 seats to the [Democrats'](#) 11 in the state House.



A box of Plan B emergency contraception pills. JOE RAEDLE/GETTY IMAGES

This bill was one of four abortion related bills brought to the North Dakota House on Wednesday February 12.

One of the bills was to allow elective abortions up to 15 weeks, and the other two were to increase protections for access to IVF and contraception in the state. All four were struck down.

Abortion access in North Dakota is still up for legal debate as the state [Supreme Court](#) is yet to rule on the legality of former Governor [Doug Burgum](#)'s law, which deemed providing an abortion to be a felony with few exceptions.

One district court ruled it was unconstitutional, but the decision has been appealed to the state Supreme Court. For now, abortions are legal in the state for health and life-preserving purposes and only in a hospital setting.

What People Are Saying

North Dakota state Representative Lori VanWinkle, on the state House floor: "Murder is murder for everybody, no matter what tool you use, even if that tool is an abortion pill."

North Dakota state Representative Kathy Frelich: "Mercy and justice are two sides of a scale we balance in this legislative body."

What Happens Next

Burgum's abortion law is still being reviewed by the state Supreme Court.

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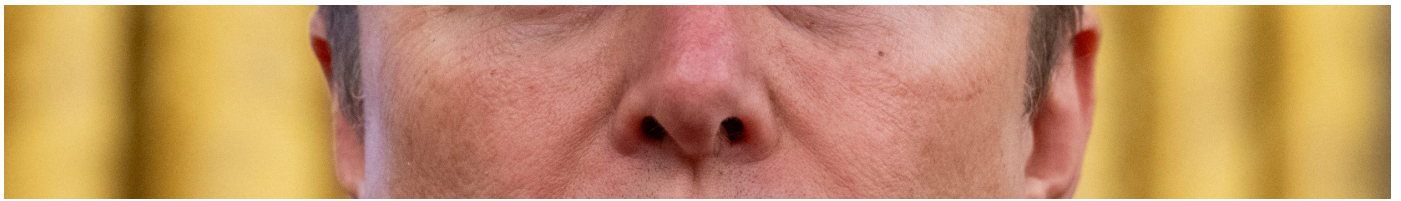


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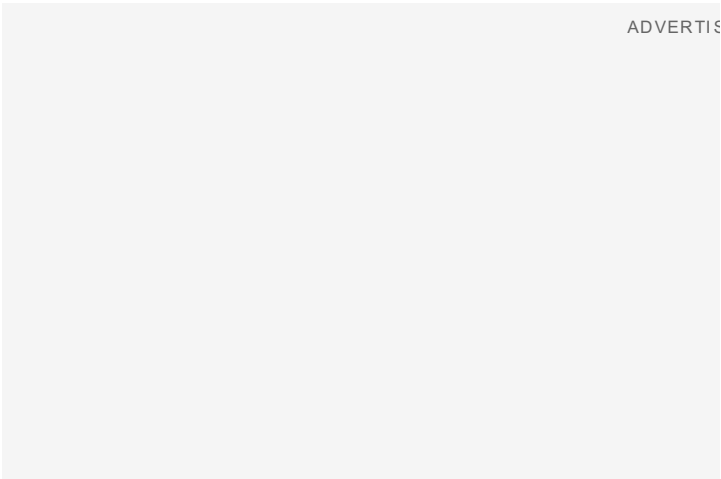
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