

July 13, 2021

Steve Marshall
Alabama Attorney General



For press inquiries only, contact:

Mike Lewis (334) 353-2199

Joy Patterson (334) 242-7491

Page 1 of 1

Attorney General Steve Marshall Files Brief Defending South Carolina Abortion Law

(MONTGOMERY) – Attorney General Steve Marshall filed a brief on behalf of Alabama and 19 other states in support of South Carolina’s defense of its Fetal Heartbeat and Protection from Abortion Act. The law was challenged by Planned Parenthood South Atlantic and enjoined by a federal district judge shortly after it was enacted earlier this year.

Under the law, abortions are generally prohibited once a fetal heartbeat is detected. The law also requires abortion providers to give the mother an opportunity have an ultrasound and view the sonogram, hear the fetal heartbeat, and receive other information about her unborn child.

Attorney General Marshall filed the amicus brief in *Planned Parenthood South Atlantic v. Wilson* before the U.S. Court of Appeals for the Fourth Circuit on Tuesday.

“South Carolina’s fetal heartbeat law was struck down in an error-filled district court opinion,” said Attorney General Marshall. “Although Planned Parenthood and the other plaintiffs challenged only the law’s regulation of abortion after a fetal heartbeat is detected, the district court enjoined the law in its entirety – including portions of the law that dozens of other states already have and regularly enforce.

“For instance, at least 24 states require an abortion provider to offer to display the image from an ultrasound so the pregnant mother can view it. Yet the district court enjoined South Carolina’s ultrasound disclosure law. Same for South Carolina’s requirement that abortion providers make the fetal heartbeat audible for the pregnant mother if she would like to hear it – a law that at least 16 other states have also enacted. And same for South Carolina’s requirement that an ultrasound be performed before an abortion is conducted – a requirement shared by at least 12 other states.

“The district court tread on South Carolina’s sovereign ability to decide for itself the purposes of its legislation, completely ignoring the General Assembly’s clear intent, written in the text of the law, that if any part of the law were held unconstitutional then the remainder would not be invalidated.”

Joining Attorney General Marshall in signing the amicus brief are attorneys general from Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Tennessee, Texas, Utah and West Virginia.

Read a copy of Attorney General Marshall’s amicus brief [here](#).

--30--

