

 **DEMOCRATS OF THE RED ROCKS**
Turning the Red Rocks Blue 

KEEPING POSTED

April 2023 — Spotlight on Women's Reproductive Health in Arizona



May 2022: Big turnout for a “We Won’t Go Back to 1864” Women’s Choice Rally in Sedona

The Arizona GOP has passed more than 45 restrictions on abortion care since 1999.

Even after the loss of Roe, what's left of reproductive autonomy & privacy rights in Arizona remains under attack. Republicans continue to hold a very slim majority in the Arizona House (31-29) and Senate (16-14) and they control which reproductive bills advance to committee hearings.

Abortion in Arizona is currently legal for up to 15 weeks gestation.

“Senate Bill 1164 was signed into law by Governor Doug Ducey, and took effect in September 2022. This is a Mississippi-style 15-week abortion ban that only exempts cases of “medical emergency,” with no exceptions for rape or incest. It also [bans abortions when people learn later in a pregnancy that a fetus is not viable](#). Doctors who

help women face class 6 felony charges. Because of [the absurd way pregnancy dates are calculated](#), the law kicks in at 11 weeks of pregnancy, at most.”¹

This year, the Republicans in the Arizona Legislature have given priority to bills that attempt to codify “[Fetal Personhood](#)” into law.



Arizona House Democrats ✓
@AZHouseDems

Reps. [@AthenaSalman](#) and [@DrAmishShah](#) discuss [#SB1600](#) cruel “born alive” measure. Shah: it’s unethical and “borders on torture” for state to insert itself in Dr.-patient relationship to mandate CPR when a stillborn fetus has no chance of survival, with criminal penalties at stake.



1:54 PM · 3/29/23 · 3,627 Views

Our three district lawmakers— Sen. Ken Bennett, Rep. Selina Bliss and Rep. Quang Ngyuen joined other Republican representatives who co-sponsored bill “[SB1600](#), which would broaden a [controversial anti-abortion bill from 2017](#) that requires clinics, hospitals and physicians to “care for a baby delivered alive.” Physicians and parents opposed the 2017 bill for forcing unnecessary procedures on babies with no chance of survival instead of allowing these babies to die in the arms of their parents. The bill removes compromise language inserted to help the bill pass and inserts language related to the concept of [fetal personhood](#). Any violation would be a felony and result in the loss of the medical professional’s license.”² The vast majority of Arizonans who used the Arizona Legislature’s Request To Speak (RTS) online program opposed this bill: 526 people were against vs.148 people supporting it. This bill was passed by both chambers of the legislature, and is expected to be vetoed by the Governor.

Codifying “Fetal Personhood” doesn’t stop there:

There are a handful of bad bills that are currently being floated in the Arizona Legislature sponsored by [Rep. Matt Gress](#) R-4 (North Scottsdale). These bills are supported by [The Center for Arizona Policy \(CAP\)](#), the state’s most prominent anti-abortion and anti-LGBTQ advocacy group.

¹ CEBV WEEKLY • MARCH 27, 2022

² CEBV WEEKLY • FEB. 20, 2023

- **HB2502**, Allowing a parent who has been awarded child support to receive retroactive payments, back to the date of a positive pregnancy test. (Passed in the House on party lines)
- **HB2417**, [Allowing pregnant women to drive in the HOV lane](#), essentially counting her as two people, after she or her doctor submits documentation to the state Motor Vehicle Division. (bill did not get a hearing)
- **HB2500**, Providing compensation to a woman who is impregnated during a sexual assault and then carries the pregnancy to term. The woman would be provided with economic support through the baby's first year. (bill did not get a hearing)
- **HB2501**, Providing a child tax credit to a woman or her spouse during the year before her child is born, prorated for the number of months she was pregnant during that year. (Passed House committees)
- **HB2427**, Assaulting someone who is pregnant could result in a [five year longer prison](#) sentence. The Arizona Coalition to End Sexual and Domestic Violence has opposed the bill since its introduction. They say it "places greater value on unborn human life than domestic violence victims". (Passed in the House and Senate on party lines)

Call to Action:

- Add our district's 3 Arizona legislators, 2 leaders, and Governor to your contacts:
 1. Senator Ken Bennett - LD1 602-926-5874 kbennett@azleg.gov
 2. Representative Selina Bliss - LD1 602-926-4018 sbliss@azleg.gov
 3. Representative Quang Nguyen - LD1 602-926-3258 qnguyen@azleg.gov
 4. House Speaker Ben Toma 602-926-3298 btoma@azleg.gov
 5. Senate President Warren Petersen 602-926-4136 wpetersen@azleg.gov
 6. Governor Katie Hobbs 602-542-4331 <https://tinyurl.com/contactgovhobbs>
- Contact the legislators and let them know you are opposed to the 4 bills below. Their office staff keep a tally of constituent calls on bills. Our lawmakers need public pressure to know how deeply unpopular these bills are. The Governor is contacted when a bill comes to her desk.

Update: Gov. Hobbs has vetoed SB1600 and HB2427, but it is still important to voice your opinion about how extreme these bills are.

1. SB1600, infants; born alive; requirements (thank Governor Hobbs for her expected veto)
2. HB2501, dependent tax credit; additional amount (date of pregnancy)
3. HB2502, child support; date of pregnancy
4. HB2427, domestic violence; pregnant victim; sentencing

In Other News:

Attorney General Kris Mayes refuses to defend an [2021 Arizona state law banning abortion for genetic abnormalities](#) that is winding its way through the courts.

This case was previously defended by former AG Mark Brnovich, and Mayes has no interest in arguing to defend a law on the books she considers “unconstitutional.” Arizona House Speaker Ben Toma and Senate President Warren Petersen, both Republicans, [recently had a judge approve their request to have the Arizona Legislature defend the law](#). They will be represented by attorneys providing free legal services from the [Alliance Defending Freedom](#), an anti-abortion, anti-LGBTQ group.

Proof that door knocking and donations work: [Kris Mayes won her 2022 election by 280 votes!!!](#)

Governor Katie Hobbs Joins Governors’ Reproductive Freedom Alliance:

“Arizonans elected me because I made a promise that I will defend reproductive rights, and I intend to keep that promise. I will use my authority to veto any bill that further restricts safe and legal abortion access without hesitation. To reinforce my commitment to reproductive freedom, I am proud to join a [coalition of Governors](#) who understand that whether someone wants to start a family is not a decision for the government to make.”

We are fortunate to have Governor Katie Hobbs as a firewall against bad bills that impact women’s reproductive health.

Coming Soon! A ballot initiative to protect abortion access:

The most surefire way to protect abortion access and reproductive rights in the long-term is to put abortion on the ballot and enshrine this right into the Arizona state constitution. Five states have succeeded in putting abortion on their midterm ballots. Arizonans For Reproductive Freedom was responsible for an attempt to put abortion

rights on the 2022 midterm ballot, which [failed to reach the required amount of signatures](#) before the July 7th deadline after Rowe fell. DORR is hopeful that a 2024 ballot measure is in the works, and we will pass that information along to our members when it becomes finalized.

Arizona's Democratic legislators work tirelessly crafting meaningful legislation that most often never sees the light of day.

Bills from [Rep. Athena Salman](#) D-8 (Tempe/Scottsdale) should have advanced in the AZ House, but Republican committee chairs REFUSED to give them a hearing:

- **HB2329**, [Banning forced induction](#) of incarcerated pregnant people against their will. Would guarantee prenatal care & educational programming into the state correctional system.
- **HB2126**, Prohibiting insurers from not covering and/or requiring a deductible for any prescribed form of contraception, including intrauterine devices, prescription barriers, or vasectomies.
- **HB2125**, Repealing current AZ statutes (effectively reversing the pre-statehood 1864 abortion ban) which apply criminal charges to anyone (doctors included) who provides, supplies, administers or advertises for birth control or abortion care.
- **HB2138**, Sponsoring the “The Pro-Birth Affordability Act”, this entitles any person forced to carry a pregnancy to term by the state to receive many types of benefits from the state including compensation for living, medical & job loss, and access to any public assistance programs, insurance or disability.
- **HB2678**, Requiring Arizona's Medicaid program to provide comprehensive dental care for pregnant women ages 21+. Dental care for pregnant women is [essential for the health of women and babies](#), and the state's investment would be met with federal dollars. [This is at least the sixth consecutive year](#) this proposal has been introduced.

[“Period Poverty”](#) is a public health crisis we don't talk about:

AZ Senate Minority Leader, [Mitzi Epstien](#) (D-12) has been working for several years to craft legislation that would address menstrual hygiene poverty in middle and high schools. “**SB1675** would require public district and charter schools that serve students in grades 6-12 to make [menstrual hygiene products available free of charge](#) in all women's and gender-neutral restrooms in the school. For middle and high school girls, these products are a need, and always in short supply. Many teachers pay for them out of their own pockets. This is a step toward providing a healthy, dependable environment

that supports student learning.”³ This bill passed in one committee, but failed to advance.

History: Two conflicting state laws when Roe was overturned:

There was the recently signed 15-week abortion ban *and* Arizona pre-Roe law, which is a near-total abortion ban first enacted in [1864, and codified in 1901](#), long before Arizona was granted statehood in 1912. The only exception was if the life of the patient was in danger. In August 2022, Arizona’s former Assistant Attorney General [urged a judge](#) to allow the state to enforce the pre-statehood ban on abortions. A judge [ruled in favor of Brnovich’s office](#) in September 2022. In December 2022, the Arizona Court of Appeals ruled that the criminal penalties of the pre-statehood laws could not be enforced, and the [15-week ban that was signed by Doug Ducey is now in place](#). Shortly after taking office, Arizona Attorney General Kris Mayes announced she would not challenge the appellate ruling on territorial abortion law.

Planned Parenthood Arizona’s CEO Brittany Fontero’s statement on the AZ Court of Appeals decision:

“Let me be clear, today is a good day. The Arizona Court of Appeals has given us the clarity that Planned Parenthood Arizona has been seeking for months: when provided by licensed physicians in compliance with Arizona’s other laws and regulations, abortion through 15 weeks will remain legal. Stopping (former) Attorney General Brnovich’s efforts to impose a near total abortion ban in the state has been a hard-fought victory, but we won’t be fooled, we know the work is not over.” (12/30/22)

Where are my rights? I had them a minute ago!

Dianne Post, Internationally heralded attorney and advocate for human rights, recently walked through a review of all the bills brought before our legislature regarding abortion rights which was staggering. Here is a [Zoom recording](#) (54 minutes) of her presentation for the Black Mountain Dems in Cave Creek AZ. PowerPoint deck [here](#).

Resources

³ *CEBV WEEKLY* • FEB. 13, 2023

- ***The Arizona Mirror***: An online news website focused on Arizona politics and government policy. <https://www.azmirror.com>
- ***The Arizona Agenda***: A curated, daily newsletter summarizing Arizona's political headlines with linked articles to a variety of news sources. <https://arizonaagenda.substack.com> (subscription)
- ***CEBV Weekly Newsletter***: A weekly online newsletter from Civic Engagement Beyond Voting, an Arizona grassroots organization focused exclusively on the Arizona state legislature. <https://tinyurl.com/cebvweekly>
- ***Chop Wood, Carry Water***: A daily newsletter of simple political actions you can take to combat harmful federal legislation. <https://chopwoodcarrywaterdailyactions.substack.com>