



## Legislation Text

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**File #:** Res 0200-2022, **Version:** A

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### Res. No. 200-A

Resolution declaring January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

By Council Members Menin, Hanif, Brooks-Powers, Nurse, Ung, Abreu, Louis and The Speaker (Council Member Adams), Restler, Avilés, Cabán, Fariás, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala, Lee, Powers and Richardson Jordan

Whereas, In 1970, Jane Roe filed a lawsuit on behalf of herself and others against Dallas County Texas District Attorney Henry Wade, challenging a Texas law making abortion illegal except by a doctor's orders to save a woman's life; and

Whereas, In the lawsuit, Roe argued that Texas's abortion laws were unconstitutionally vague and abridged her right of personal privacy as protected by the First, Fourth, Fifth, Ninth and Fourteenth Amendments; and

Whereas, On January 22, 1973, the United States (U.S) Supreme Court issued a 7-2 decision in favor of Jane Roe, ruling that women had a fundamental right to choose whether or not to have an abortion without excessive government restriction, thereby striking down Texas's abortion ban as unconstitutional; and

Whereas, *Roe v. Wade* held the U.S. Constitution provided a right to privacy protecting a person's right to choose, and also decided the right to abortion is not absolute and must be balanced against the government's interest in protecting health and prenatal life; and

Whereas, According to the World Health Organization (WHO), unsafe abortion is a leading but preventable cause of maternal deaths and morbidities around the world, and the proportion of unsafe abortions is significantly higher in countries with highly restrictive abortion laws than in countries with less restrictive laws; and

Whereas, According to the 2020 WHO list of essential health care services, comprehensive abortion care can be effectively managed by a wide range of health workers using medication or a surgical procedure and is deemed a safe health care intervention; and

Whereas, In 1970, New York State legalized abortion up to 24 weeks into a pregnancy, becoming the first state in the country to provide the freedom of choice for individuals to terminate their pregnancies regardless of residency; and

Whereas, On January 22, 2019, New York State enacted the Reproductive Health Act (RHA), removing abortion (as a homicide exception) from the State criminal code, codifying the rights to an abortion laid out in *Roe v. Wade*, and expanding the types of health care professionals permitted to practice abortion health services; and

Whereas, On June 24, 2022, in a 5-4 decision, the US Supreme Court overturned *Roe v. Wade*, ending the landmark ruling that had established the constitutional right to abortion; and

Whereas, According to the Centers for Disease Control and Prevention (CDC) in 2019, 7,000 or nine percent of pregnancy termination procedures in New York State were for people from other states, and in preparation for the dismantling of *Roe v. Wade*, the CDC estimated the number of pregnancy terminations in New York State to increase by four and half times to 32,000 from Ohio and Pennsylvania residents alone; and

Whereas, In anticipation of the Supreme Court overturning *Roe v. Wade*, New York State Governor Hochul's Fiscal Year 2023 Budget announced a \$35 million investment to directly support abortion providers and enshrined into law a requirement for health plans to cover abortion services without cost-sharing in order to provide access for the possible influx of individuals seeking safe and affordable care; and Whereas, New York has historically upheld a person's right to reproductive healthcare choices by safeguarding and expanding legislative protections in favor of promoting gender equality and reproductive justice for all; now, therefore be it

Resolved, That the Council of the City of New York recognizes January 22, 2023 as *Roe v. Wade* Day

in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

CD  
LS 7222  
5/26/22