FAQs About Enrolled Act 1 in Indiana

Are abortions legal in Indiana?
On Aug. 5, 2022, state lawmakers passed Senate Bill 1 (now known as Enrolled Act 1) which significantly restricts legal abortions in Indiana but which includes notable exceptions. These exceptions include rape, incest, fetal anomalies, and when medically necessary to protect the life and/or health of the mother. The law went into effect Sept. 15, 2022, but has since been halted by state courts (see more on this below).

Will my event attendees be safe and have access to emergency medical care if they have pregnancy complications while in Indiana?
Yes. Indiana’s law is different from many states that restrict abortion in terms of the breadth of protections for pregnant women with medical emergencies. It makes exceptions for abortions not only if the mother’s life is in danger, but also if “the abortion is necessary to prevent any serious health risk of the pregnant woman." This is a significant exception as it allows fairly broad interpretation from medical providers to provide emergency care to pregnant women, which of course could include someone visiting Indianapolis to attend an event.

Health care providers in Indianapolis have further protections in interpreting this portion of the law as the Marion County prosecutor (with support of our Mayor and City-County Council) announced his office will not prosecute either medical providers or pregnant women for abortions for any reason in Marion County (Indianapolis’ county). State lawmakers attempted to pass an amendment to Senate Bill 1 that would have allowed the state attorney general to override a local prosecutor in these cases but the amendment failed.

What should an attendee do if they have a medical emergency related to a pregnancy while in Indiana?
Call 9-1-1; all of Indianapolis’ major hospitals – including IU Health, Ascension St. Vincent, Community Health, and Eskenazi Hospital – are training patient intake and emergency room staff on patient rights and hospital procedures. IU Health also offers a 24/7 Rapid Response team by calling 1-888-484-3258 to reach clinicians, ethicists, and hospital legal staff.

What is Indianapolis’ position on Enrolled Act 1?
Indianapolis’ elected leaders strongly opposed Enrolled Act 1 and strongly support reproductive rights. The Mayor and Indianapolis’ City-County Council overwhelmingly passed Special Resolution 27 on Aug. 15, 2022, which expresses its support “for the protection of reproductive rights and concern about the Dobbs decision and its expected effects” and also notes that the Council “further intends to take such steps as may be appropriate to protect and advance the rights of women and girls in Indiana and uphold all persons’ rights to privacy, dignity, and self-determination.”

What is the current legal status of Enrolled Act 1?
The ACLU of Indiana and other parties have filed multiple lawsuits being heard by Indiana courts to halt the law from being enforced. These lawsuits contend Enrolled Act 1 violates the state’s constitutional rights to privacy and/or religious freedom. On Sept. 22, 2022, a county judge issued a preliminary injunction to at least temporarily halt the enforcement of Enrolled Act 1, noting that there is a “reasonable likelihood” that decisions about family planning, including whether to carry a pregnancy to term, are protected by the state constitution. As of Oct. 1, 2022, multiple Planned Parenthood clinics in Indiana had resumed providing abortion care while litigation continues.

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