

STATE LEGAL SNAPSHOT

Alaska

Abortion law, status, and enforcement — one-page reference

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



Abortion is **protected by the state constitution**, legal at every stage of pregnancy — **no gestational limit**, currently available.

GESTATIONAL LIMIT	None	✓ AVAILABLE	Yes	✓ MOTHER EXEMPT	Yes	FETAL HOMICIDE LAW	Yes	PERSONHOOD LANGUAGE	Yes
TELEHEALTH	Not allowed	WAITING PERIOD	None	RAPE / INCEST EXCEPTION	N/A	PARENTAL INVOLVEMENT	Enjoined	SHIELD STATE	No
MEDICAID	Broader than Hyde	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below				

§ Jurisdiction overview

The Alaska Supreme Court has held that the state constitution’s privacy clause protects abortion as a fundamental right throughout pregnancy, making Alaska one of the most protective states.

Valley Hospital Ass’n v. Mat-Su Coalition for Choice, 948 P.2d 963 (Alaska 1997) · Alaska Const. art. I, § 22

☒ Fetal personhood & the internal contradiction

Alaska law treats the unborn as a full person for purposes of criminal homicide and civil wrongful death, yet subordinates that personhood to the pregnant woman’s constitutional right to consent to a legal abortion. The contradiction is explicit and intentional: AS 11.41.180(1) and AS 09.55.585(b)(1) carve legal abortion out of liability. The fetus is a person when harmed by a third party against the woman’s wishes, but not when she exercises her reproductive choice. This is a political compromise, not a philosophically coherent resolution.

AS 11.41.180 · AS 11.81.900(b)(60)

MINORS

Alaska’s parental notification law was struck down in 2016; minors can consent to abortion on their own.

SPOUSAL / PATERNAL RIGHTS

Alaska has no statute requiring spousal consent or notice for abortion; no father’s consent requirement exists.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician or person who violates AS 18.16.010	Performing abortion without satisfying regulatory requirements	Fine of not more than \$1,000, imprisonment up to 5 years, or both plus civil liability
Pregnant woman	None expressly exempt from fetal homicide and wrongful death liability	No criminal or civil penalty
Third party who kills an unborn child outside a legal abortion	Murder, manslaughter, or criminally negligent homicide of an unborn child	Murder: 15-99 years; Manslaughter: 5-20 years; Criminally negligent homicide: 1-5 years

☒ Recent changes

Sep 2024	Alaska Superior Court Judge Josie Garton issued a permanent injunction blocking enforcement of the physician-only restriction as applied to APCs for medication and aspiration abortion.
Mar 2023	Alaska Attorney General Treg Taylor issued a press release stating that self-administration of medication abortion violates Alaska law and joined 19 other state AGs warning pharmacies against mailing mifepristone.
Jun 2022	The U.S. Supreme Court decided Dobbs v. Jackson Women’s Health Organization. Alaska’s protections rest on independent state constitutional grounds and were not directly affected.

- Apr 2019

The Alaska Supreme Court affirmed that a 2014 statute and 2013 regulation redefining medically necessary to limit Medicaid abortion funding violated equal protection.
- Jul 2016

The Alaska Supreme Court struck down the voter-enacted Parental Notification Law as violating equal protection.

⌵ Pending changes to watch

Alaska v. Planned Parenthood Great Northwest (APC appeal) Litigation · Pending at Alaska Supreme Court; oral arguments heard October 29, 2025. If the State prevails, the APC injunction would be dissolved, potentially restricting abortion to physicians only.
Planned Parenthood v. State of Alaska (telehealth lawsuit) Litigation · Filed June 11, 2026, in Alaska Superior Court. If successful, would allow telehealth prescribing and direct-to-patient dispensing of medication abortion in Alaska.
HB 357 / SB 271 Alaska Heartbeat Act Legislation · Introduced February 2026; did not advance before 2025-2026 session adjourned. Would ban abortion after detection of a fetal heartbeat and create private civil enforcement; would likely be enjoined under Alaska constitutional protections.

⌵ Key authorities

Alaska Constitution, Art. I, § 22 (Right of Privacy) Alaska Const. art. I, § 22 Express privacy clause protecting abortion as a fundamental right subject to strict scrutiny.
Alaska Constitution, Art. I, § 1 (Equal Protection) Alaska Const. art. I, § 1 Used to strike down discriminatory restrictions including parental notification and Medicaid limits.
Valley Hospital Ass’n v. Mat-Su Coalition for Choice 948 P.2d 963 (Alaska 1997) Foundational case establishing reproductive rights as fundamental under Alaska Constitution.
State v. Planned Parenthood of Alaska (Medicaid) 28 P.3d 904 (Alaska 2001) Required Medicaid coverage of all medically necessary abortions beyond Hyde categories.
Planned Parenthood v. Alaska (Parental Notification) 375 P.3d 1122 (Alaska 2016) Struck down parental notification law; minors may consent independently.

Generated from the structured legal focused deep-research record for AK (research completed 2026-07-12). This snapshot condenses a much larger sourced dataset — full citations, quoted statutory text, and plain-language explanations are in the full Alaska survey. This document has not been reviewed by a lawyer and should not be used as legal advice.