

STATE LEGAL SNAPSHOT

Alabama

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



Abortion is banned at every stage of pregnancy — not currently available.

|                   |             |                |           |                         |     |                      |                    |                     |     |
|-------------------|-------------|----------------|-----------|-------------------------|-----|----------------------|--------------------|---------------------|-----|
| GESTATIONAL LIMIT | Total ban   | AVAILABLE      | No        | ✓ MOTHER EXEMPT         | Yes | FETAL HOMICIDE LAW   | Yes                | PERSONHOOD LANGUAGE | Yes |
| TELEHEALTH        | Not allowed | WAITING PERIOD | 48 hours  | RAPE / INCEST EXCEPTION | No  | PARENTAL INVOLVEMENT | Consent one parent |                     |     |
| SHIELD STATE      | No          | MEDICAID       | Hyde only | CIVIL BOUNTY LAW        | No  | PENDING CHANGE       | See below          |                     |     |

§ Jurisdiction overview

Alabama enforces a near-total ban on abortion from fertilization, with a narrow exception for serious health risk to the mother.

Ala. Code § 26-23H-4(a) · Ala. Const. art. I, § 36.06

☒ Fetal personhood & the internal contradiction

Alabama's legal treatment of fetal personhood contains significant internal contradictions. The same Code defines an unborn child as a 'person' and a 'human being' for purposes of homicide (Ala. Code § 13A-6-1(a)(3)) and declares the 'right to life' of the unborn as a matter of public policy (Ala. Const. art. I, § 36.06), yet simultaneously exempts the pregnant woman from criminal and civil liability for ending that same 'person's' life through abortion (Ala. Code § 26-23H-5), expressly exempts 'any woman with respect to her unborn child' from homicide prosecution (Ala.

Ala. Code § 13A-6-1(a)(3) · Ala. Code § 26-23H-3(7) · Ala. Const. art. I, § 36.06

MINORS

An unemancipated minor must obtain written consent from one parent or legal guardian before an abortion, with a judicial bypass procedure available.

SPOUSAL / PATERNAL RIGHTS

Alabama has no statute on the books requiring a husband's consent or notice for abortion.

☒ Penalties in effect

| ACTOR                                                    | OFFENSE                                                                                                                                                              | PENALTY                                                                                                        |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Physician performing illegal abortion                    | Performing an abortion in violation of the Alabama Human Life Protection Act                                                                                         | Class A felony: 10 years to 99 years or life imprisonment (Ala. Code § 13A-5-6(a)(1)); plus license revocation |
| Physician attempting illegal abortion                    | Attempting to perform an abortion in violation of the Alabama Human Life Protection Act                                                                              | Class C felony: 1 year and 1 day to 10 years imprisonment (Ala. Code § 13A-5-6(a)(3))                          |
| Non-physician performing or attempting abortion          | Performing or attempting an abortion, including prescribing or dispensing abortion-inducing drugs, while not a physician                                             | Class C felony: 1 year and 1 day to 10 years                                                                   |
| Person prescribing abortion drugs without in-person exam | Prescribing, dispensing, or administering abortion-inducing drugs without first examining the patient in person                                                      | Class C felony: 1 year and 1 day to 10 years                                                                   |
| Clinic administrator permitting violations               | Knowingly and willfully permitting an abortion or reproductive health center to operate in violation of physician, nursing, patient-care, or medication requirements | Class C felony: 1 year and 1 day to 10 years                                                                   |

☒ Recent changes

- Mar 2025U.S. District Judge Myron H. Thompson granted summary judgment in Yellowhammer Fund v.

- Jun 2024

Federal HIPAA privacy rule became effective, limiting disclosure of reproductive health information in investigations of lawful out-of-state care.
- Mar 2024

Alabama legislature passed and Governor Kay Ivey signed Act 2024-34, providing civil and criminal immunity to IVF providers in response to LePage, allowing IVF services to resume.
- Feb 2024

Alabama Supreme Court decided LePage v.
- Jul 2023

Yellowhammer Fund and healthcare providers sued Alabama Attorney General Steve Marshall after he threatened to prosecute those who assist Alabamians in traveling out of state for lawful abortions.
- Jun 2022

Dobbs v. Jackson Women's Health Organization decided; Alabama's trigger provision in the Human Life Protection Act became operative, imposing a near-total abortion ban effective immediately.

⌵ Pending changes to watch

**Yellowhammer Fund v. Marshall (potential appeal)**  
Litigation · Permanent injunction entered March 31, 2025; appeal to the Eleventh Circuit likely.  
If reversed, Alabama could resume threatening to prosecute those who help residents travel out of state for abortion care, chilling abortion funds, practical support organizations, healthcare providers, and individuals.

**SB 34 - Repeal of Alabama Abortion Ban**  
Legislation · Introduced in the Alabama Senate during the 2025 session; did not advance. Likely to be reintroduced.  
Would repeal the Alabama Human Life Protection Act, restoring the pre-Dobbs regulatory framework (20-week ban, informed consent, parental consent, facility regulations).

**HB 118 - Qui Tam Action Limitations (2026)**  
Legislation · Introduced in the Alabama House during the 2026 regular session.  
Would prohibit private qui tam actions against women using abortion-inducing drugs to self-manage abortion, internet service providers, transportation companies, and out-of-state healthcare providers who mail abortion medication.

⌵ Key authorities

**Alabama Human Life Protection Act** Ala. Code §§ 26-23H-1 to 26-23H-8  
The operative total abortion ban, effective June 24, 2022, making it a Class A felony to perform an abortion except to prevent a serious health risk to the mother.

**Women's Health and Safety Act** Ala. Code §§ 26-23E-1 to 26-23E-17  
Imposes physician-only requirements, hospital admitting privileges, in-person examination mandate for medication abortion, and facility regulations.

**Woman's Right to Know Act** Ala. Code §§ 26-23A-1 to 26-23A-13  
Mandates 48-hour waiting period, state-scripted informed consent counseling, and ultrasound requirements for any lawful abortion.

**Parental Consent Statute** Ala. Code §§ 26-21-1 to 26-21-8  
Requires one-parent written consent for minors, with judicial bypass available.

**Federal Abortion Mandate Opt Out Act** Ala. Code §§ 26-23C-1 to 26-23C-4  
Prohibits ACA exchange plans from covering abortion except for life endangerment, rape, incest, or ectopic pregnancy.

Generated from the structured legal focused deep-research record for AL (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 Alabama survey. This document has not been reviewed by a lawyer and should not be used as legal advice.