

Arkansas

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	72 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

Arkansas enforces a near-total abortion ban triggered on June 24, 2022, with the only exception being to save the pregnant woman's life in a medical emergency.

Ark. Code Ann. § 5-61-304(a) · Ark. Const. Amend. 68, § 2 · Arkansas Advocate, 'Lawsuit says Arkansas' near-total ban on abortion violates state's constitution' (Jan. 28, 2026)

☒ Fetal personhood & the internal contradiction

Arkansas law contains a deliberate and multi-layered set of internal contradictions around fetal personhood. The criminal code declares an unborn child a 'person' from conception for homicide purposes, the Constitution declares a policy of protecting every unborn child 'from conception until birth,' and the wrongful-death statute permits civil recovery for the death of an unborn child from conception.

Ark. Code Ann. § 5-1-102(13)(B)(i) · Ark. Const. Amend. 68, § 2

MINORS

A physician may not perform an abortion on an unemancipated minor without the notarized written consent of one parent or legal guardian, unless a medical emergency exists or a court grants a judicial bypass.

SPOUSAL / PATERNAL RIGHTS

Arkansas has no statute requiring spousal consent or notice for abortion.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician / abortion provider	Performing or attempting an abortion in violation of the Arkansas Human Life Protection Act (trigger ban)	Unclassified felony; fine up to \$100,000, imprisonment up to 10 years, or both; mandatory license revocation by Arkansas State Medical Board
Any person who administers drugs or means to cause abortion (pre-Roe statute)	Unlawful abortion under Ark. Code Ann. § 5-61-102	Class D felony; up to 6 years imprisonment and fine up to \$10,000
Any person mailing/distributing abortion-inducing drugs	Unlawful distribution of abortion-inducing drugs via courier, delivery, or mail	Class D felony (under § 20-16-1510 for violations resulting in death); penalties for lesser violations through general criminal provisions
Pregnant woman	No criminal liability for obtaining or self-managing abortion (expressly exempt)	None; immune from criminal prosecution and civil suit under multiple statutes

☒ Recent changes

- Jul 2025

Arkansas Attorney General Tim Griffin sends cease-and-desist letters to four organizations (including Plan C) alleging they illegally advertise and facilitate the provision of abortion pills in Arkansas, citing Ark.
- Apr 2025

Arkansas Supreme Court declares Act 975 of 2025 (which redirected constitutional challenges to the Court of Appeals, bypassing circuit courts) unconstitutional, removing a procedural barrier to abortion-ban challenges in circuit court.

- Mar 2025

Act 387 of 2025 (HB1610) signed into law, amending the definition of abortion to explicitly exclude removal of ectopic pregnancy, removal of a dead unborn child from spontaneous abortion, and treatment to preserve the health or life of the unborn child.
- Aug 2024

Arkansas Supreme Court upholds the Secretary of State's rejection of the abortion-rights ballot initiative petitions (Arkansans for Limited Government v.
- Jun 2022

U.S. Supreme Court issues Dobbs v. Jackson Women's Health Organization, overturning Roe v. Wade.

⌵ Pending changes to watch

Amplify Legal v. State of Arkansas (Pulaski County Circuit Court)
Litigation · Active; filed January 2026, dismissed April 2026, revived May 2026 after the Arkansas Supreme Court struck down Act 975 and the circuit judge reversed her dismissal.
If successful, the suit could enjoin the Arkansas abortion ban, potentially restoring abortion access in Arkansas on the terms ordered by the court — possibly reinstating the pre-trigger framework of a 20-week gestational limit or otherwise modifying the ban's scope.

2026 abortion-rights ballot initiative (potential)
Ballot measure · Signature-gathering phase reportedly underway; not yet certified.
If certified and passed, would amend the Arkansas Constitution to override the current statutory ban by establishing a state constitutional right to abortion up to at least 20 weeks, with post-20-week exceptions.

⌵ Key authorities

Arkansas Human Life Protection Act (Trigger Ban) Ark. Code Ann. § 5-61-304
The operative near-total abortion ban, effective June 24, 2022, prohibiting abortion except to save the life of the pregnant woman in a medical emergency.

Pre-Roe Unlawful Abortion Statute Ark. Code Ann. § 5-61-102
Historical criminal abortion ban still on the books; Class D felony; explicitly exempts the pregnant woman from liability.

Arkansas Constitution Amendment 68 Ark. Const. Amend. 68
Bans public funding for abortion except to save the mother's life and declares state policy to protect every unborn child from conception.

Fetal Homicide Definition Ark. Code Ann. § 5-1-102(13)(B)
Defines 'person' for homicide purposes to include an unborn child from conception; exempts legal abortion and the pregnant woman.

Abortion-Inducing Drugs Safety Act Ark. Code Ann. § 20-16-1501 et seq.
Bans mailing of abortion pills, requires in-person physician examination, and limits prescribing to licensed physicians.

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