

STATE LEGAL SNAPSHOT

Arizona

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: medium



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	Allowed	WAITING PERIOD	None	✓ RAPE / INCEST EXCEPTION	Yes	PARENTAL INVOLVEMENT	Consent one parent		
✓ SHIELD STATE	Yes	MEDICAID	Hyde only	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below		

§ Jurisdiction overview

Abortion is a fundamental constitutional right in Arizona before fetal viability (approx. 22-24 weeks), and after viability when needed to protect life, physical health, or mental health.

Ariz. Const. art. II, section 8.1 · Chapter 181, 2024 Ariz. Sess. Laws (HB 2677)

☒ Fetal personhood & the internal contradiction

Arizona's legal treatment of fetal personhood contains significant internal contradictions.

A.R.S. section 13-1103(B), (D) · A.R.S. section 1-219(A)

MINORS

Arizona requires notarized written consent from one parent or guardian for an unemancipated minor's abortion, with a judicial bypass option.

SPOUSAL / PATERNAL RIGHTS

Arizona has no statute requiring spousal consent or notice for abortion; the only paternal involvement is civil standing to sue for certain violations.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician (partial-birth abortion)	Knowingly performing a partial-birth abortion and killing a human fetus	Class 6 felony; fine and/or imprisonment up to 2 years
Physician (informed consent violations)	Knowingly violating informed consent requirements	Unprofessional conduct; license suspension or revocation; civil liability
Any person aiding minor without parental consent	Intentionally causing, aiding, or assisting a minor in obtaining an abortion without required parental consent or judicial bypass	Class 1 misdemeanor; civil liability
Pregnant woman	No offense — expressly exempt from criminal prosecution and civil liability for abortion	None

☒ Recent changes

Feb 2026	Maricopa County Superior Court permanently enjoins multiple abortion restrictions as unconstitutional under Proposition 139. GOP legislative leaders appeal.
Jan 2026	Arizona House advances three abortion restriction bills: HB 2074 (removing woman's exemption from partial-birth abortion penalties), HB 2186 (banning university employees from discussing abortion options), and HB 2364 (criminal penalties for mailing/receiving abortion medication).
Mar 2025	Maricopa County Superior Court permanently enjoins Arizona's 15-week abortion ban as unconstitutional under Proposition 139.

- Nov 2024

Proposition 139 takes effect upon certification of election results, adding Article II, Section 8.1 to the Arizona Constitution.
- Nov 2024

Arizona voters approve Proposition 139 (Arizona Abortion Access Act) by a 61.4% majority, creating a constitutional fundamental right to abortion before fetal viability.
- May 2024

Governor Hobbs signs HB 2677, repealing the 1864 near-total abortion ban (ARS 13-3603). Repeal takes effect September 14, 2024.
- Apr 2024

Arizona Supreme Court rules 4-2 that the 1864 near-total abortion ban (ARS 13-3603) is enforceable.

⌵ Pending changes to watch

Isaacson v. Arizona (appeal of Feb. 6, 2026 injunction)

Litigation · Appeal pending; GOP legislative leaders are appealing Judge Como's permanent injunction to the Arizona Court of Appeals.

If reversed, the 24-hour waiting period, mandatory ultrasound, state-scripted counseling, telemedicine ban, medication mail-ing ban, and genetic-abnormality reason ban would be reinstated.

Isaacson v. Brnovich (federal appeal of ARS 1-219 personhood injunction)

Litigation · Pending at the Ninth Circuit; the July 2022 as-applied injunction remains in effect during appeal.

If reversed, the personhood interpretation provision could be used to argue that other laws protecting persons apply to the un-born from conception.

HB 2074 (Partial-birth abortion; woman penalties)

Legislation · Passed House on preliminary voice vote; needs roll-call vote before going to Senate.

Would declare legislative intent that women should not be exempt from liability for partial-birth abortion, and require clinic staff to report such procedures to prosecutors under penalty of one year in prison.

⌵ Key authorities

Arizona Constitution Article II, Section 8.1

Ariz. Const. art. II, section 8.1 (Prop. 139, 2024)

Creates a fundamental right to abortion before viability, protects post-viability abortion for life/physical/mental health, and prohibits penalizing those who aid or assist.

ARS 36-2151 (Definitions)

A.R.S. section 36-2151

Defines abortion, unborn child, physician, medical emergency, gestational age, and other key terms for all Arizona abortion laws.

ARS 13-3603.01 (Partial-birth abortion ban)

A.R.S. section 13-3603.01

The primary remaining criminal abortion statute: Class 6 felony for physicians performing partial-birth abortion, with express exemption of the pregnant woman.

ARS 1-219 (Personhood interpretation provision)

A.R.S. section 1-219

Directs all Arizona laws to be interpreted to grant unborn children all rights at every stage of development; currently enjoined as applied to abortion.

ARS 36-2152 (Parental consent)

A.R.S. section 36-2152

Requires one-parent notarized consent or judicial bypass for unemancipated minors; violations are a Class 1 misdemeanor.

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