

STATE LEGAL SNAPSHOT

Georgia

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



● Abortion is banned after 6 weeks (last menstrual period) — availability: severely restricted.

GESTATIONAL LIMIT	6 weeks	AVAILABLE	Severely restricted	✓ MOTHER EXEMPT	Yes	FETAL HOMICIDE LAW	Yes	PERSONHOOD LANGUAGE	Yes
TELEHEALTH	Not allowed	WAITING PERIOD	24 hours	✓ RAPE / INCEST EXCEPTION	Yes	PARENTAL INVOLVEMENT	Notification only		
SHIELD STATE	No	MEDICAID	Hyde only	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below		

§ Jurisdiction overview

Georgia prohibits abortion once embryonic or fetal cardiac activity is detectable, at roughly 6 weeks LMP, with narrow exceptions; the ban is currently enforced while the Georgia Supreme Court's February 2025 remand for standing reconsideration proceeds.

O.C.G.A. § 16-12-141(b) · SisterSong Women of Color Reprod. Just. Collective v. State, No. 2022CV367796 (Fulton Cty. Super. Ct. Sept. 30, 2024), vacated and remanded, Ga. Sup. Ct. (Feb. 20, 2025) · O.C.G.A. § 16-12-141(a)(2)

▣ Fetal personhood & the internal contradiction

Georgia's legal treatment of fetal personhood contains deep and unresolved internal contradictions. The LIFE Act simultaneously (1) defines 'natural person' to include 'an unborn child at any stage of development who is carried in the womb' (O.C.G.A. § 1-2-1), placing this definition in the General Provisions for application across the entire Code; (2) prohibits abortion only after a detectable heartbeat, explicitly permitting it before that point; and (3) provides that the pregnant woman may not be prosecuted for feticide (§ 16-5-80(f)) and, under pre-LIFE Act case law (Hillman v.

O.C.G.A. § 16-5-80(b) · O.C.G.A. § 16-5-80(f) · O.C.G.A. § 1-2-1(b), (e)(2)

MINORS

Georgia requires 24 hours' notice to a parent or guardian before performing an abortion on an unemancipated minor, with a judicial bypass option available.

SPOUSAL / PATERNAL RIGHTS

Georgia has no statute requiring a spouse's consent or notice, or the biological father's consent or notice, before a pregnant person may obtain an abortion.

▣ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician (performing unlawful abortion)	Criminal abortion (O.C.G.A. § 16-12-140)	1-10 years imprisonment; administrative sanctions including license revocation under § 31-9B-2(b); civil liability to woman under § 16-12-141(g)
Anyone performing partial-birth abortion	Partial-birth abortion (O.C.G.A. § 16-12-144)	Up to 5 years imprisonment, fine up to \$5,000, or both; civil action by father/maternal grandparents for money damages plus statutory damages of 3x procedure cost
Pregnant woman	Exempt from criminal abortion prosecution under Hillman v.	No criminal penalty under current judicial interpretation, but post-LIFE Act ambiguity exists; woman faces no civil liability
Accomplices/helpers (partner, family, friends, abortion funds, clinic staff)	Party to crime of criminal abortion (O.C.G.A. § 16-2-20); criminal solicitation (O.C.G.A. § 16-4-7); conspiracy (O.C.G.A. § 16-4-8); attempt (O.C.G.A.	For party to crime: same as principal (1-10 years). Solicitation: 1-3 years (or 1-5 if principal crime punishable by death/life). Conspiracy/attempt: up to half the maximum of completed crime (up to 5 years)
Non-physician prescriber (APRN, PA)	Criminal abortion (unauthorized practice); party-to-crime via O.C.G.A. § 16-2-20	1-10 years imprisonment if charged as principal or accomplice; professional license consequences

Recent changes

- Feb 2025** The Georgia Supreme Court vacated the trial court's ruling and remanded for reconsideration of plaintiffs' standing, in light of a January 2025 decision eliminating third-party standing in Georgia.
- Oct 2024** The Georgia Supreme Court granted the State's emergency motion for supersedeas, staying the trial court's ruling and reinstating the 6-week abortion ban.
- Sep 2024** Fulton County Superior Court Judge Robert McBurney permanently enjoined the LIFE Act's 6-week abortion ban, ruling it violates the Georgia Constitution's fundamental right to privacy.
- Oct 2023** The Georgia Supreme Court in *State v. SisterSong*, 316 Ga. 698, reversed the trial court's ruling that the LIFE Act was void ab initio, holding that Dobbs applies retroactively.
- Jul 2022** The Eleventh Circuit lifted the federal district court's permanent injunction of Georgia's LIFE Act, allowing the 6-week abortion ban to take immediate effect.

Pending changes to watch

SisterSong Women of Color Reprod. Just. Collective v. State of Georgia (on remand)
Litigation · Remanded by Georgia Supreme Court (Feb.)

If the trial court finds standing and again strikes the ban as violating the Georgia Constitution's privacy right, the ban would be enjoined.

H.B. 441 (2025) — Total Abortion Ban and Criminalization
Legislation · Introduced 2025 session; heard in House committee March 2025; not yet passed

Would ban abortion from fertilization with no exceptions for rape or incest, would criminalize abortion as murder, and could subject pregnant women, doctors, and anyone assisting to homicide charges.

S.B. 15 / H.B. 75 (2025) — Georgia Reproductive Freedom Act
Legislation · Introduced 2025 session; referred to committee; not yet passed

Would repeal the LIFE Act's 6-week abortion ban and codify a statutory right to abortion in Georgia.

Key authorities

LIFE Act — Criminal Abortion Restrictions O.C.G.A. § 16-12-141 (as amended by 2019 Ga. Laws 234)

The operative prohibition: bans abortion after detectable cardiac activity with three narrow exceptions, defines key terms, imposes physician-only requirement, and authorizes civil remedy and health-records access for prosecutors.

Criminal Abortion Penalty O.C.G.A. § 16-12-140

Establishes the criminal offense of abortion performed in violation of § 16-12-141, punishable by 1-10 years imprisonment.

Personhood Definition — Natural Person O.C.G.A. § 1-2-1 (as amended by 2019 Ga. Laws 234)

Defines 'natural person' to include 'an unborn child at any stage of development who is carried in the womb'; placed in General Provisions to apply Code-wide.

Woman's Right to Know Act O.C.G.A. § 31-9A-1 to -8

Imposes the 24-hour waiting period, state-scripted informed consent counseling, ultrasound availability requirement, and definition of abortion and medical emergency.

Heartbeat Determination Requirement O.C.G.A. § 31-9B-2

Requires physician to determine presence of detectable human heartbeat before any abortion; failure subjects physician to license revocation.

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