

STATE LEGAL SNAPSHOT

Minnesota

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



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Abortion is **protected by statute**, 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	N/A	PARENTAL INVOLVEMENT	Enjoined	✓ SHIELD STATE	Yes
MEDICAID	Broader than Hyde	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below				

§ Jurisdiction overview

Abortion is legal at all stages of pregnancy under the Minnesota Constitution and the 2023 PRO Act, which codified a fundamental statutory right to reproductive freedom.

Minn. Stat. § 145.409, subd. 3(b) · Women of State of Minn. by Doe v. Gomez, 542 N.W.2d 17, 27 (Minn. 1995)

☒ Fetal personhood & the internal contradiction

Minnesota law simultaneously treats the unborn as a person for purposes of third-party homicide and assault — protecting 'the unborn offspring of a human being conceived, but not yet born' from the moment of conception under a comprehensive scheme that includes first-degree murder with mandatory life imprisonment — while also codifying an absolute fundamental right to abortion. The same criminal code that makes it murder to kill a 'conceived but not yet born' embryo (Minn. Stat.

Minn. Stat. § 609.266(a) · Minn. Stat. § 609.266(b) · Minn. Stat. § 609.269

MINORS

Minn. Stat. § 144.343, subds. 2-6 requires notification of both parents 48 hours before a minor's abortion, but this law was permanently enjoined in 2022 and is not enforced.

SPOUSAL / PATERNAL RIGHTS

Minnesota has never enacted a law requiring a husband's or father's consent to or notice of an abortion; no such provision exists on the books.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Pregnant woman	No criminal offense exists for obtaining or self-managing an abortion	None; expressly excluded from fetal homicide statutes by Minn. Stat. § 609.266(b)
Physician	No criminal offense exists for performing a lawful abortion; former felony penalties repealed in 2023	None criminally; professional discipline possible only for generally applicable standard-of-care violations, not for abortion-specific conduct; shield law protects against out-of-state discipline
Non-physician prescriber (APRN, PA)	No criminal offense; physician-only requirement repealed in 2023	None; shield law protects license from out-of-state discipline for providing lawful reproductive health care
Pharmacist	No criminal offense for dispensing abortion medication	None; shield law (§ 151.071, subd. 2b) protects license from discipline for dispensing medication for lawful reproductive health care
Nurses and clinic staff	No criminal offense; no principal crime to which accomplice liability could attach	None

☒ Recent changes

- Aug 2025

U.S. District Court Judge Brasel dismisses Women's Life Care Center v. Ellison, a federal lawsuit that sought to nullify Minnesota's abortion-protective laws on 14th Amendment grounds.

- **May 2024** Governor Walz signs the Abortion Coverage Act (2024 Minn. Laws ch.
- **May 2023** Governor Walz signs the Health and Human Services Omnibus Bill (SF 2995 / Chapter 70), legislatively repealing virtually all remaining abortion restrictions: the viability ban, physician-only requirement, hospitalization mandate, 24-hour waiting period, mandatory disclosure/counseling law, and associated felony penalties.
- **Apr 2023** Governor Walz signs the Reproductive Freedom Defense Act (HF 366), creating comprehensive shield-law protections against out-of-state investigations, prosecutions, extradition, subpoenas, license actions, and civil judgments.
- **Jan 2023** Governor Walz signs the Protect Reproductive Options (PRO) Act (HF 1), codifying a fundamental statutory right to reproductive freedom including abortion, and prohibiting local governments from imposing more restrictive regulations.
- **Jul 2022** Ramsey County District Court in Doe v.
- **Jun 2022** Governor Tim Walz signs Emergency Executive Order 22-16, prohibiting state agencies from cooperating with out-of-state investigations into reproductive health care services legal in Minnesota.

🔍 Pending changes to watch

Minnesota Equal Rights Amendment (HF 501 / SF 473)

Legislation · Introduced in the 2025-2026 legislative session; failed to pass in 2024 due to tied Senate dynamics; would place a constitutional amendment on the 2026 ballot

If passed by the legislature and ratified by voters, the amendment would enshrine equality rights on the basis of sex (including pregnancy, gender, and sexual orientation) in the Minnesota Constitution, providing an additional constitutional foundation for abortion rights that would be harder for future legislatures to override than the current statutory and case-law protections.

Reproductive Freedom Fund (HF 1278)

Legislation · Introduced in the 2025-2026 legislative session

Would establish a \$30 million state fund to support abortion providers, government entities, and nonprofit organizations facilitating abortion care, strengthening Minnesota's abortion infrastructure in its role as a regional refuge.

Born-Alive Bill (HF 24 / SF 461)

Legislation · Advanced through House committee in February 2025; unlikely to pass the full legislature given divided control and Governor Walz's likely veto

Would amend Minn. Stat.

🔍 Key authorities

Protect Reproductive Options (PRO) Act Minn. Stat. § 145.409

Codifies the fundamental statutory right to abortion and reproductive freedom, and prohibits local governments from imposing more restrictive regulations.

Doe v. Gomez Women of State of Minn. by Doe v. Gomez, 542 N.W.2d 17 (Minn. 1995)

Minnesota Supreme Court precedent recognizing abortion as a fundamental privacy right under the Minnesota Constitution, which provides broader protection than the U.S.

Doe v. Minnesota (2022 injunction) Doe v. Minnesota, No. 62-CV-19-3868 (Minn. 2d Jud. Dist. July 11, 2022)

Permanently enjoined Minnesota's abortion restrictions (physician-only, hospitalization, parental notification, waiting period, mandatory counseling) under the state constitution; most were subsequently legislatively repealed.

Minnesota Shield Law (civil judgments and subpoenas) Minn. Stat. § 548.252

Core shield-law provision declaring out-of-state laws targeting abortion provision and assistance contrary to Minnesota public policy and barring their enforcement in Minnesota courts.

Fetal Homicide Definition and Mother Exclusion Minn. Stat. §§ 609.266-609.269

Defines 'unborn child' from conception for homicide purposes but expressly excludes the pregnant woman from 'whoever' and exempts consented-to abortion from the entire fetal homicide scheme.

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