

STATE LEGAL SNAPSHOT

New Hampshire

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



● Abortion is **banned after 24 weeks (last menstrual period)** — currently available.

GESTATIONAL LIMIT	24 weeks	✓ AVAILABLE	Yes	✓ MOTHER EXEMPT	Yes	FETAL HOMICIDE LAW	Yes	PERSONHOOD LANGUAGE	Yes
✓ TELEHEALTH	Allowed	WAITING PERIOD	None	RAPE / INCEST EXCEPTION	No	PARENTAL INVOLVEMENT	Notification only	SHIELD STATE	No
MEDICAID	Hyde only	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below				

§ Jurisdiction overview

Abortion is legal in New Hampshire up to 24 weeks gestational age measured from last menstrual period, with exceptions thereafter for life-preserving emergencies, serious risk of substantial bodily impairment, and fatal fetal anomalies.

N.H. Rev. Stat. § 329:44(II)

☒ Fetal personhood & the internal contradiction

New Hampshire's law contains a notable internal contradiction between its fetal-homicide and abortion regimes. The fetal-homicide statute (RSA 630:1-a) treats a fetus of 20+ weeks post-conception as a homicide victim — a person for purposes of murder, manslaughter, and negligent homicide.

N.H. Rev. Stat. § 630:1-a(IV)-(V) · N.H. Rev. Stat. § 630:1(IV) · N.H. Rev. Stat. § 630:1-a(V)(b)(1)

MINORS

Unemancipated minors must have written notice delivered to one parent at least 48 hours before an abortion; judicial bypass is available; the notice requirement can be waived for medical emergencies.

SPOUSAL / PATERNAL RIGHTS

New Hampshire has no statute requiring a husband's consent or notice before a married woman may obtain an abortion.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician or other health care provider — 24-week ban violation	Knowingly performing or inducing an abortion at or after 24 weeks gestational age in violation of RSA 329:44	Class B felony: 1-7 years imprisonment; fine of \$10,000-\$100,000; potential Board of Medicine license discipline; civil damages for psychological and physical injuries
Physician — partial-birth abortion (D&X) violation	Intentionally or knowingly performing a partial-birth abortion in violation of RSA 329:34	Fine of \$10,000-\$100,000; imprisonment of 1-10 years; civil damages including three times the cost of the abortion plus psychological and physical injuries
Pregnant woman (any abortion, any method)	No offense — expressly exempted from prosecution under the fetal-homicide statute, partial-birth abortion conspiracy provision, and Fetal Life Protection Act (which targets providers only)	None
Non-physician health care provider (APRN, PA, nurse, pharmacist) — 24-week ban violation	Same as physician: knowingly performing or inducing an abortion at or after 24 weeks	Class B felony: 1-7 years imprisonment; fine of \$10,000-\$100,000; professional license discipline; civil damages

☒ Recent changes

- Mar 2026 The New Hampshire Senate votes SB 551 (abortion shield law) 'Inexpedient to Legislate,' on party lines, leaving New Hampshire as the only New England state without shield-law protections.

- Mar 2026

The House Judiciary Committee votes 13-4 to recommend killing HB 1590, which would have lowered the gestational limit from 24 to 20 weeks. The bill is effectively defeated.
- Jul 2025

RSA 329:49-a (Collection and Reporting of Abortion Statistics), requiring detailed reporting by health care providers, takes effect (effective date delayed from January 1, 2027, by SB 474).
- Mar 2025

The New Hampshire House passes HB 191 (180-164), which would criminalize transporting an unemancipated minor to obtain a surgical procedure or abortion without notarized parental consent.
- Feb 2024

The New Hampshire House defeats CACR 23, a proposed constitutional amendment that would have enshrined the right to abortion before 24 weeks in the state constitution.
- Jun 2022

Dobbs v. Jackson Women's Health Organization is decided, ending the federal constitutional right to abortion.
- May 2022

Governor Sununu signs HB 1609, expanding the medical-emergency definition to include situations where continuing the pregnancy would create a 'serious risk of substantial and irreversible impairment of a major bodily function.'

⌵ Pending changes to watch

HB 191 (2025-2026)
Legislation · Passed House (180-164, March 2025); in conference committee; not yet enacted.
Would criminalize transporting an unemancipated minor to obtain an abortion or surgical procedure without notarized parental consent.

HB 685 (Reproductive Health Parity Act)
Legislation · Reintroduced in the 2025-2026 legislative session; not yet enacted.
Would require private insurance plans and ACA marketplace plans that cover maternity benefits to also cover abortion care. Would significantly expand insurance coverage of abortion in New Hampshire.

HB 1313 (2026)
Legislation · Pending in 2026 session; would repeal the buffer-zone law protecting abortion clinics.
Would remove the legal authority for reproductive health facilities to establish 25-foot protest-free buffer zones, potentially exposing patients and providers to closer protest activity.

⌵ Key authorities

Fetal Life Protection Act (24-Week Ban) N.H. Rev. Stat. §§ 329:43-329:49
The primary operative statute: prohibits abortion at or after 24 weeks LMP, defines exceptions, imposes criminal and civil penalties, and governs ultrasound requirements.

Fetal Life Protection Act — Definitions N.H. Rev. Stat. § 329:43
Defines 'abortion,' 'fetus,' 'gestational age,' 'health care provider,' 'medical emergency,' and 'major bodily function' — the entire conceptual framework for the 24-week ban.

Partial-Birth Abortion Ban Act N.H. Rev. Stat. §§ 329:33-329:40
Prohibits intact D&X (partial-birth abortion) at all gestational ages, with a narrow life-of-the-mother exception and a mother-exemption from conspiracy liability.

Parental Notification Prior to Abortion Act N.H. Rev. Stat. §§ 132:32-132:36
Requires 48-hour written notice to one parent for minors; provides judicial bypass with a maturity/best-interests standard and a 2-business-day deadline.

Fetal Homicide Statute N.H. Rev. Stat. § 630:1-a(IV)-(V)
Defines 'fetus' as a homicide victim from 20 weeks post-conception, but expressly exempts pregnant women, medical professionals, and those acting at the woman's request.

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