

STATE LEGAL SNAPSHOT

New York

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



● Abortion is protected by statute, legal up to 24 weeks (last menstrual period), currently available.

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

§ Jurisdiction overview

Abortion is legal in New York up to 24 weeks of pregnancy and thereafter for life, health, or fetal non-viability, with no waiting period, parental consent, or mandatory counseling.

N.Y. Pub. Health Law § 2599-bb(1) · N.Y. Pub. Health Law § 2599-aa · N.Y. Const. art. I, § 11 (as amended effective Jan. 1, 2025)

☒ Fetal personhood & the internal contradiction

New York presents a notably internally consistent legal framework with respect to fetal personhood, making it an outlier among states with abortion restrictions. The state has consciously eliminated the contradictions that plague other jurisdictions. Before 2019, New York's penal law contained an internal contradiction: it defined homicide to include killing an 'unborn child' past 24 weeks while simultaneously permitting abortion up to that point and exempting the pregnant woman. The Reproductive Health Act resolved this by removing the 'unborn child' language from the homicide statute entirely.

N.Y. Penal Law § 125.00 · N.Y. Const. art. I, § 11 (as amended)

MINORS

New York imposes no parental consent or notification requirement for minors seeking abortion; a minor can consent to abortion on their own.

SPOUSAL / PATERNAL RIGHTS

New York has no spousal or paternal consent or notice statute on the books; the father has no legal role in the abortion decision.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Pregnant woman	None — all criminal abortion statutes repealed	No criminal penalty; no civil liability under state law
Physician / health care practitioner	None for lawful abortion; general medical malpractice standards apply	No criminal penalty; professional discipline shielded by Education Law § 6531-b; general malpractice liability remains
Prescriber / pharmacist	None — no separate prescriber or pharmacist abortion-related offense exists	No criminal penalty; professional discipline shielded
Nurses and clinical staff	None — no criminal abortion statute exists to support accomplice liability	No criminal or civil penalty under New York law
Helpers (friends, family, employers who fund or assist)	None — no criminal, civil, or bounty liability for assisting abortion access	No criminal or civil penalty under New York law; protected by shield law

☒ Recent changes

- Dec 2025 Further shield-law amendments took effect, requiring any individual or entity in New York to notify the Office of the Attorney General upon receipt of a request for information about legally protected health activity and strengthening privacy and non-cooperation provisions.

- Apr 2025

Governor Hochul signed S.4587/A.2145, strengthening the shield law by allowing providers to use only the practice address — not the provider's name — on prescription labels for mifepristone and misoprostol, and requiring pharmacies to comply with such requests.
- Jan 2025

A Louisiana grand jury indicted New York physician Dr.
- Nov 2024

New York voters approved Proposition 1 (the Equal Rights Amendment), amending N.Y. Const. art.
- Jun 2023

Governor Hochul signed legislation expanding the shield law to cover telehealth abortion care provided to out-of-state patients and establishing the Reproductive Freedom and Equity Program (S.348/A.361), a state grant program funding abortion providers and nonprofits.
- Jan 2023

Private insurance mandate took effect: every state-regulated private insurance plan offering maternity care coverage must cover abortion without cost-sharing, per Chapter 57 of the Laws of 2022.
- Jun 2022

Dobbs v. Jackson Women's Health Organization decided, overturning Roe v. Wade.

⌵ Pending changes to watch

Louisiana v. Carpenter (interstate shield law challenge)
Litigation · Louisiana indictment issued Jan.
If Louisiana or federal authorities succeed in compelling extradition or enforcing the Louisiana judgment against Dr.

Texas v. New York (shield law recognition of out-of-state judgments)
Litigation · A New York trial court ruled against Texas's effort to enforce Texas legal judgments against New York abortion providers, but appeals or further proceedings are possible.
If Texas prevails on appeal, New York courts could be required to recognize and enforce Texas civil judgments against New York abortion providers, undercutting the shield law's practical protection.

S.5921 (2025) — unborn child as homicide/assault victim
Legislation · Introduced March 4, 2025, by Senator Weik; referred to committee.
If enacted, this would reintroduce fetal-homicide language into New York law (which the RHA removed) and could create tension with the state's abortion-protective framework, though the bill's abortion exception attempts to preserve consistency.

⌵ Key authorities

Reproductive Health Act — Authorization of Abortion N.Y. Pub. Health Law § 2599-bb
The operative provision authorizing abortion by Title VIII practitioners up to 24 weeks and thereafter for life, health, or fetal non-viability.

Reproductive Health Act — Policy and Fundamental Right N.Y. Pub. Health Law § 2599-aa
Declares the fundamental right to choose abortion and prohibits state interference with the exercise of reproductive rights.

Reproductive Freedom and Equity Program N.Y. Pub. Health Law § 2599-bb-1
Establishes state grant program funding abortion providers and nonprofits that facilitate abortion access.

Shield Law — Extradition Protection N.Y. Crim. Proc. Law § 570.17
Prohibits extradition for legally protected health activity, defines reproductive health care to include telehealth and self-managed care, and shields providers serving out-of-state patients.

Shield Law — Non-Cooperation Mandate N.Y. Exec. Law § 837-x
Prohibits all state and local government employees and entities from cooperating with out-of-state investigations of legally protected health activity.

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