

STATE LEGAL SNAPSHOT

Pennsylvania

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



● Abortion is **banned after fetal viability** — currently available.

GESTATIONAL LIMIT	24 weeks	✓ AVAILABLE	Yes	✓ MOTHER EXEMPT	Yes	FETAL HOMICIDE LAW	Yes	PERSONHOOD LANGUAGE	Yes
✓ TELEHEALTH	Allowed	WAITING PERIOD	24 hours	✓ 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 legal in Pennsylvania until 24 weeks from last menstrual period, with a 24-hour waiting period, state-scripted informed consent, one-parent consent for minors, and a physician-only requirement.

18 Pa.C.S. § 3202(a) · Planned Parenthood of Southeastern Pa. v. Casey, 505 U.S. 833 (1992) · Allegheny Reprod. Health Ctr. v. Pa. Dep't of Human Servs., 309 A.3d 808 (Pa. 2024)

☒ Fetal personhood & the internal contradiction

Pennsylvania law contains a deep internal contradiction on fetal personhood. Chapter 32 defines the unborn child as 'an individual organism of the species homo sapiens from fertilization until live birth' and states the legislative intent to 'protect the life and health of the child subject to abortion.' Yet the same chapter permits abortion through 24 weeks and expressly exempts the pregnant woman from all criminal penalties — even for self-managed abortion.

18 Pa.C.S. § 2604(c) · Commonwealth v. Bullock, 590 Pa. 391, 913 A.2d 207 (2006) · 18 Pa.C.S. § 3203

MINORS

A minor under 18 must obtain the consent of one parent or guardian, with judicial bypass available; medical emergency exception applies.

SPOUSAL / PATERNAL RIGHTS

18 Pa.C.S. § 3209, requiring spousal notice, remains in the code but was struck down as unconstitutional in Casey and has never been enforced.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician (performing or prescribing)	Violation of § 3204 (medical consultation/judgment) or § 3211 (24-week limit): Felony third degree.	Felony third degree: up to 7 years imprisonment, fine up to \$15,000. License suspension or revocation for 'unprofessional conduct.' Civil liability: actual damages plus \$5,000 punitive damages and attorney fees.
Pregnant woman	Expressly exempted from all criminal penalties for violating Chapter 32, including self-managed abortion, and from complicity and inchoate-crime liability.	None.
Non-physician prescriber (NP, PA, CNM)	Prescribing abortion medication may constitute performing an abortion in violation of § 3204 (physician-only requirement): Felony third degree.	Up to 7 years imprisonment, fine up to \$15,000. Professional license consequences.
Pharmacist	No direct abortion-law offense for filling valid physician prescription.	Uncertain; no specific statutory penalty. General accomplice liability under § 306 could apply but is untested.
Clinic staff, nurses, assistants	Direct violation of § 3204(d) if they knowingly participate: Felony third degree. General accomplice liability under § 306.	Up to 7 years imprisonment, fine up to \$15,000.

Recent changes

- May 2026

Attorney General Dave Sunday appealed the Commonwealth Court's April 20 ruling to the Pennsylvania Supreme Court.
- Apr 2026

Pennsylvania Commonwealth Court, in a 4-3 ruling on remand, held that the Pennsylvania Constitution guarantees a fundamental right to reproductive autonomy and that the Medicaid coverage exclusion is unconstitutional.
- Jan 2024

Pennsylvania Supreme Court in Allegheny Reproductive Health Center v.
- Jul 2022

Governor Tom Wolf issued Executive Order 2022-01, shielding abortion providers and out-of-state patients from cooperation with other states' investigations and extradition requests arising from reproductive health care legal in Pennsylvania.
- Jun 2022

Dobbs v. Jackson Women's Health Organization overturned Roe v. Wade. Pennsylvania had no trigger law, so the Abortion Control Act remained in effect unchanged.

Pending changes to watch

Allegheny Reproductive Health Center v. PA DHS (Medicaid Coverage Appeal)
Litigation · On appeal to Pennsylvania Supreme Court following Commonwealth Court's April 20, 2026 ruling striking down the Medicaid coverage exclusion.
If the Pennsylvania Supreme Court affirms, Pennsylvania Medicaid would cover abortion beyond the Hyde categories, making abortion financially accessible to low-income Pennsylvanians.

HB 26 — Abortion Restrictions Repeal Act (2025-2026)
Legislation · Introduced; referred to House Health Committee.
If enacted, would eliminate nearly all Pennsylvania-specific abortion restrictions, effectively making abortion legal throughout pregnancy with minimal state regulation.

SB 956 — Anti-Abortion Constitutional Amendment (2021-2022; may be reintroduced)
Legislation · Passed Senate in 2022 but did not pass both chambers in consecutive sessions as required for a constitutional amendment ballot measure.
Would amend the Pennsylvania Constitution to state that it 'does not grant the right to taxpayer-funded abortion or any other right relating to abortion,' potentially nullifying the Commonwealth Court's fundamental-right-to-reproductive-autonomy ruling.

Key authorities

Pennsylvania Abortion Control Act 18 Pa.C.S. §§ 3201-3220
The comprehensive statutory framework governing all aspects of abortion in Pennsylvania, including the 24-week limit, physician-only requirement, informed consent, parental consent, public funding restrictions, and criminal penalties.

Planned Parenthood v. Casey Planned Parenthood of Southeastern Pa. v. Casey, 505 U.S. 833 (1992)
The Supreme Court decision that upheld most of Pennsylvania's Abortion Control Act, established the undue-burden standard, and struck down the spousal-notice provision.

Allegheny Reproductive Health Center v. PA DHS (Pa. Supreme Court 2024) Allegheny Reprod. Health Ctr. v. Pa. Dep't of Human Servs., 309 A.3d 808 (Pa. 2024)
Held that sex-based classifications including abortion restrictions are presumptively unconstitutional under Pennsylvania's ERA and subject to strict scrutiny.

Allegheny Reproductive Health Center v. PA DHS (Commw. Ct. 2026) Allegheny Reprod. Health Ctr. v. Pa. Dep't of Human Servs., No. 26 M.D. 2019 (Pa. Commw. Ct. Apr. 20, 2026)
Recognized a fundamental right to reproductive autonomy under the Pennsylvania Constitution and struck down the Medicaid coverage exclusion as unconstitutional.

Crimes Against Unborn Child Act 18 Pa.C.S. §§ 2601-2608
Creates fetal homicide offenses from fertilization onward, while expressly exempting the mother and lawful abortion — the core personhood contradiction in Pennsylvania law.

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