

STATE LEGAL SNAPSHOT

Vermont

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



Abortion is **protected by the state constitution**, legal at every stage of pregnancy — **no gestational limit**, **currently available**.

|                   |                   |                  |      |                         |           |                      |      |                     |     |
|-------------------|-------------------|------------------|------|-------------------------|-----------|----------------------|------|---------------------|-----|
| GESTATIONAL LIMIT | None              | ✓ 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 at all stages of pregnancy in Vermont, protected by both statute and a constitutional amendment, with no gestational limit, no mandatory waiting periods, and no parental involvement requirements.

Vt. Const. ch. I, art. 22 · 18 V.S.A. § 9494

☒ Fetal personhood & the internal contradiction

Vermont's legal framework is internally consistent on fetal personhood in a way that avoids the contradictions seen in many other jurisdictions. There is no fetal homicide statute (resolving the paradox of a state criminalizing third-party fetal killing while permitting abortion). There is no statutory or constitutional fetal-personhood language (avoiding the contradiction of defining the unborn as persons while simultaneously recognizing a fundamental right to abortion). The sole apparent tension is the wrongful-death holding in *Vaillancourt*, which treats a viable fetus as a 'person' for civil recovery purposes.

State v. Oliver, No. 87-512 (Vt.) · Pregnancy Justice, Fetal Homicide Brief (2023) · Vt. Const. ch. I, art. 22

MINORS

Minors in Vermont can consent to their own abortion without notifying or obtaining consent from a parent or guardian; no parental-involvement statute exists.

SPOUSAL / PATERNAL RIGHTS

Vermont has never enacted a spousal-consent or spousal-notification requirement for abortion; no such statute exists on the books.

☒ Penalties in effect

| ACTOR                                    | OFFENSE                                                                  | PENALTY                                                                                                                  |
|------------------------------------------|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Pregnant person                          | None; self-managed abortion and consensual abortion are not criminalized | None; exempted by 18 V.S.A. § 9494(b)                                                                                    |
| Physician                                | None under state law; no criminal abortion statute exists                | None under Vermont law; shielded from out-of-state professional discipline by 26 V.S.A. § 1354(d) and 3 V.S.A. § 129a(f) |
| Non-physician prescriber (APRN, PA, CNM) | None under state law                                                     | None; shielded from professional discipline by 3 V.S.A. § 129a(f) and 26 V.S.A. § 1354(d)                                |
| Pharmacist                               | None under state law; dispensing abortion medication is lawful           | None; protected by shield provisions                                                                                     |
| Nurses and clinic staff                  | None under state law; no underlying crime for accomplice liability       | None                                                                                                                     |

☒ Recent changes

- Jun 2025

Anti-abortion advocates and crisis pregnancy centers voluntarily dismissed their federal First Amendment lawsuit (*NIFLA v.*

- May 2025

Governor Phil Scott signed S.28 (Act 20), the updated shield bill, which authorizes telehealth prescribing of abortion medication using online health questionnaires, expands consumer-protection regulation of health care advertising to all providers rather than only crisis pregnancy centers, and adds privacy protections allowing providers to remove their names from abortion-medication prescription labels.
- May 2023

Governor Phil Scott signed H.89 and S.37 (Act 15), Vermont's first comprehensive shield laws, protecting providers, patients, and helpers from out-of-state investigations and prosecutions related to reproductive and gender-affirming health care; mandating insurance coverage for abortion with no cost-sharing; and regulating crisis pregnancy center advertising.
- Nov 2022

Vermont voters approved Proposal 5 (Article 22), the Reproductive Liberty Amendment, by a margin of 76.77% to 23.23%, enshrining the right to personal reproductive autonomy in the Vermont Constitution.
- Jun 2022

Dobbs v. Jackson Women's Health Organization overruled Roe v. Wade; Vermont's pre-existing statutory and constitutional protections meant the state's abortion access was unaffected.
- Jun 2019

Governor Phil Scott signed Act 47 (H.57), codifying the 'fundamental right' to abortion in Vermont statute (18 V.S.A.
- Mar 2014

The pre-Roe criminal abortion statute (13 V.S.A. §§ 101-104), already held unconstitutional as applied to physicians in Beecham v.

⌵ Pending changes to watch

**Federal Comstock Act enforcement uncertainty**

Litigation · Nationally, the interpretation and enforcement of the Comstock Act (18 U.S.C.

If the federal government were to enforce the Comstock Act against mailing of abortion medication into or from Vermont, Vermont's shield-law protections could be tested in federal court.

⌵ Key authorities

|                                                                                                                                                                                                                                                          |                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Vermont Constitution, Chapter I, Article 22 (Reproductive Liberty Amendment)</b>                                                                                                                                                                      | Vt. Const. ch. I, art. 22 |
| Establishes personal reproductive autonomy as a constitutional right protected by strict scrutiny — the highest legal standard — requiring any infringement to be justified by a compelling state interest achieved by the least restrictive means.      |                           |
| <b>18 V.S.A. Chapter 223 (Act 47 of 2019) — Reproductive Rights / Freedom of Choice Act</b>                                                                                                                                                              | 18 V.S.A. §§ 9493-9498    |
| Codifies abortion as a fundamental right; prohibits public entities from interfering with reproductive choice; expressly bars prosecution of individuals for their own abortions; creates a private right of action with attorney's fees for violations. |                           |
| <b>Act 15 of 2023 (1 V.S.A. § 150; 8 V.S.A. § 4099e; 3 V.S.A. § 129a; 26 V.S.A. § 1354) — Shield Law and Insurance Mandate</b>                                                                                                                           | 2023, Act 15              |
| Establishes Vermont's comprehensive shield-law framework protecting providers, patients, and helpers from out-of-state actions; mandates insurance coverage for abortion with no cost-sharing; protects medication abortion regardless of FDA status.    |                           |
| <b>Act 20 of 2025 (S.28) — Updated Shield Bill</b>                                                                                                                                                                                                       | 2025, Act 20 (S.28)       |
| Updates shield laws; authorizes telehealth prescribing of abortion medication using online questionnaires; broadens advertising regulation; adds provider-privacy protections; prompted dismissal of NIFLA v.                                            |                           |
| <b>Beecham v. Leahy</b>                                                                                                                                                                                                                                  | 287 A.2d 836 (Vt. 1972)   |
| The Vermont Supreme Court decision that legalized abortion in Vermont a year before Roe v.                                                                                                                                                               |                           |

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