

STATE LEGAL SNAPSHOT

Wyoming

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	Not allowed	WAITING PERIOD	None	✓ RAPE / INCEST EXCEPTION	Yes	PARENTAL INVOLVEMENT	Notification only		
SHIELD STATE	No	MEDICAID	Hyde only	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below		

§ Jurisdiction overview

Abortion is legal in Wyoming until viability (about 24 weeks LMP), protected by the state constitution's health care freedom amendment, but multiple restrictive laws remain enjoined or struck down by courts.

Wyo. Stat. Ann. § 35-6-102(a) · State v. Johnson, 2026 WY 1 (Wyo. 2026) · Wyo. Const. art. 1, § 38

☒ Fetal personhood & the internal contradiction

Wyoming law contains a profound contradiction between fetal personhood and abortion access. The blocked Life is a Human Right Act declares that an 'unborn baby' is 'an individual living member of the species homo sapiens' from fertilization, a 'member of the human race' with a 'right to life' under the state constitution, and that 'abortion ... is not health care.' Simultaneously, the Wyoming Supreme Court held in State v. Johnson (2026) that abortion is constitutionally protected health care under Art. 1, § 38, and that the personhood-based abortion ban fails strict scrutiny. The fetal homicide statute (Wyo.

Wyo. Stat. Ann. § 6-2-104(b) · Wyo. Stat. Ann. § 35-6-122(a)(iv) · Wyo. Stat. Ann. § 35-6-121(a)(i)

MINORS

Wyoming's parental notification-and-consent statute (Wyo. Stat. Ann. § 35-6-118) required written notice to one parent 48 hours before a minor's abortion plus written consent, but it was listed for repeal in the 2023 Life Act; its current enforceability is unclear.

SPOUSAL / PATERNAL RIGHTS

Wyoming has no statute requiring spousal consent or notice for abortion; no law requiring the father's consent exists.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Licensed physician performing prohibited abortion	Violation of Wyo. Stat. Ann. § 35-6-123 (Life Act, blocked) — felony	Felony: up to 5 years imprisonment, fine up to \$20,000, or both; mandatory license revocation, fine up to \$5,000, investigation costs (Wyo. Stat. Ann. §§ 35-6-125, 35-6-126, blocked)
Non-physician performing abortion	Person other than licensed physician performing abortion — felony (Wyo. Stat. Ann. § 35-6-111)	Felony: imprisonment 1-14 years (Wyo. Stat. Ann. § 35-6-111)
Person prescribing/dispensing abortion medication	Violation of Wyo. Stat. Ann. § 35-6-139(a) (Medication Ban, blocked) — misdemeanor	Misdemeanor: imprisonment up to 6 months, fine up to \$9,000, or both (Wyo. Stat. Ann. § 35-6-139(c), blocked)
Pregnant woman	None — expressly exempted from criminal and civil penalties (Wyo. Stat. Ann.	None; mother expressly exempt
Third party killing unborn child (not abortion)	Murder in the second degree of an unborn child (Wyo. Stat. Ann. § 6-2-104(b))	Imprisonment for any term not less than 20 years or life (Wyo. Stat. Ann. § 6-2-104(c))

☒ Recent changes

- Jun 2026 Natrona County District Judge Thomas T.C.

May 2026	Governor Gordon certifies the viability ban (Wyo. Stat. Ann.
Apr 2026	Natrona County District Court issues a temporary injunction blocking enforcement of HB0126 (six-week heartbeat ban) in Johnson et al. v. State, Case No. 116148.
Mar 2026	Governor Gordon signs HB0126, the Human Heartbeat Act, a six-week ban prohibiting abortion once cardiac activity is detected, with an exception for medical emergencies (life or serious impairment of a major bodily function).
Jan 2026	Wyoming Supreme Court issues its decision in State v. Johnson, 2026 WY 1, holding 4-1 that the Life Act and Medication Ban violate Art. 1, § 38 of the Wyoming Constitution.
Apr 2025	Natrona County District Court issues a preliminary injunction blocking enforcement of HB64 and HB42 while litigation proceeds.
Mar 2025	Wyoming legislature overrides Governor Gordon's veto of HB64, enacting a law requiring an ultrasound at least 48 hours before medication abortion.

⌵ Pending changes to watch

Johnson et al. v. State — HB0126 heartbeat ban challenge Litigation · Temporary injunction granted April 24, 2026, by Natrona County District Court; merits not yet decided. If upheld, the six-week ban is permanently blocked and abortion remains legal to viability.
State appeal of June 12, 2026 order striking down HB64, HB42, and ultrasound requirements Litigation · Wyoming Speaker of the House confirmed intent to appeal to the Wyoming Supreme Court. Appeals timeline pending. If the Wyoming Supreme Court reverses, the 48-hour waiting period with mandatory ultrasound for medication abortion, TRAP licensing requirements, and clinic admitting-privilege requirements would become enforceable, potentially making operation of Wyoming's sole abortion clinic impossible.
Potential constitutional amendment to overturn Johnson Legislation · The Wyoming Supreme Court in Johnson explicitly noted that 'lawmakers could ask Wyoming voters to consider a constitutional amendment that would more clearly address this issue.' No amendment has been introduced but legislative leadership has indicated interest. If passed by the legislature (two-thirds vote) and approved by voters, a constitutional amendment could remove or narrow the Art.

⌵ Key authorities

Wyoming Constitution, Article 1, Section 38 — Health Care Freedom Amendment Wyo. Const. art. 1, § 38 The Wyoming Supreme Court held this provision protects abortion as a fundamental health care right, the basis for striking down all post-Dobbs abortion bans.
State v. Johnson State v. Johnson, 2026 WY 1 (Wyo. 2026) This 4-1 Wyoming Supreme Court decision permanently enjoined the Life is a Human Right Act and Medication Ban, holding them unconstitutional under Art. 1, § 38.
Viability Abortion Ban Wyo. Stat. Ann. § 35-6-102(a) The only currently enforceable abortion restriction in Wyoming: abortion is legal until viability with a life/health exception thereafter.
Life is a Human Right Act (blocked) Wyo. Stat. Ann. §§ 35-6-120 to 35-6-138 The enjoined near-total abortion ban containing fetal personhood language; shows legislative intent and could be revived by constitutional amendment.
Medication Abortion Ban (blocked) Wyo. Stat. Ann. § 35-6-139 The blocked first-in-the-nation ban specifically targeting abortion medication; demonstrates Wyoming's aggressive approach to medication abortion.

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