



7 of 10 States Backed Abortion Rights. But Little To Change Yet.

The web of pre-existing state laws on abortions will likely remain in place while they are contested in court.

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Voters backed abortion rights in seven of the 10 states where the issue appeared on ballots Tuesday — at first glance, seemingly reshaping the nation’s patchwork of abortion rules.

Colorado, Maryland, Montana, and New York — states where abortions are already permitted at least until fetal viability — all will add abortion protections to their state constitutions. Nevada voters also favored protections and can enshrine them by passing the measure again in the next general election.

Florida and South Dakota voters, meanwhile, did not pass abortion rights amendments, and Nebraska voters essentially affirmed the state’s existing ban on abortions after the first trimester, while rejecting a measure that would have protected abortions later into pregnancy.

The biggest changes came in Arizona, where, in 2022, abortion was banned after 15 weeks, and in Missouri, which has had a near-total ban. Voters in those states approved constitutional amendments to protect abortion rights through fetal viability, opening the door to overturning those states’ restrictions and increasing access to abortion services.

But when Alison Dreith, director of strategic partnerships at the Midwest Access Coalition abortion fund, which has helped people from Missouri and 27 other states get abortions, was asked before the results came in how her organization was preparing for logistical changes, she said simply: “We’re not.”

That’s because actual access to abortion in the country remains largely unchanged, despite the November 5 results. The web of preexisting state laws on abortions will likely remain in place while they are contested in court, a process that could take months or even years.

Dreith said she doesn’t think many voters understood all that before heading to the polls. “It might not get them the results that they want, especially immediately,” Dreith said.

Further complicating these state results: The election wins of Donald Trump as president-elect and Republicans in the U.S. Senate, giving their party control, have raised the question of whether a national abortion ban will be on the table. [Republicans had demurred](#) on the campaign trail. Such a law would take time to enact, too.

The abortion landscape changed dramatically when the U.S. Supreme Court overturned federal abortion protections with its 2022 decision in *Dobbs v. Jackson Women's Health Organization*. That left abortion rules up to the states, prompting 14 to enact bans with few exceptions and several others to limit access.

The ruling also led to a raft of ballot measures: Voters in 16 states have now weighed in on abortion-related ballot measures. Thirteen have favored access to abortions in some way. And while the Florida amendment to protect abortion access failed to meet the necessary 60% threshold to pass, it did receive a majority of the vote.

Abortion opponents such as [Susan B. Anthony Pro-Life America](#) praised the votes rejecting amendments in Florida and South Dakota and lamented the amendments that passed in states, such as Missouri, with restrictive abortion rules and bans.

"We mourn the lives that will be lost," Sue Liebel, its director of state affairs, wrote in a statement. "The disappointing results are a reminder that human rights battles are not won overnight."

States that passed abortion rights amendments in 2022 and 2023 offer a view into the lengthy legal road ahead for abortion policies to take effect. It took nine months after Ohio voters added abortion protections to their state's constitution for a judge to [strike down the state's 24-hour waiting period](#) for abortions. And some of Michigan's abortion restrictions, including its own 24-hour waiting period, [were suspended](#) only in June, 19 months after Michigan voters approved their state's abortion rights amendment.

Missouri has an extensive set of such rules. Legal abortions had almost ceased even before the state's ban was triggered by the *Dobbs* decision. Over three decades, state lawmakers [passed a series of restrictions](#) on abortion providers that made it increasingly difficult to operate there. By 2018, only one clinic was providing abortions in the state, a Planned Parenthood affiliate in St. Louis. Anticipating further tightened restrictions, it opened a large facility 20 miles away in Illinois in 2019.

Those laws that reduced the number of recorded abortions in the state from [5,772 in 2011](#) down to [150 in 2021](#) remain on the books, despite the newly passed amendment protecting abortion rights.

Abortion services often get talked about like a light switch, according to [Kimya Forouzan](#), principal state policy adviser at the Guttmacher Institute, a nonprofit that supports abortion rights. But the infrastructure needed to provide abortions is not so easy to turn on and off.

North Dakota's abortion ban was [repealed by the courts in September](#), for example, but the lone

provider of abortions in the state before the ban took effect has no plans to return, having moved operations a five-minute drive away to Minnesota.

And even when clinics quickly ramp up services, the legal wrangling over abortion rules can lead to policy whiplash, with patients caught in the middle.

Georgia's law banning most abortions after about six weeks spent years in the courts after it passed in 2019. During two brief stretches after the Dobbs decision, once in 2022 and again in 2024, court rulings meant that clinics in the state could provide abortions up to 22 weeks of pregnancy.

Demand for abortion surged during those times, and clinics were able to resume offering services quickly. But when state courts later said the ban should be enforced, those windows slammed shut. During the 2022 period, some patients scheduled for abortions were left sitting in waiting rooms, according to Megan Cohen, medical director of Planned Parenthood Southeast.

The various abortion rights amendments that passed November 5 could also face challenges.

In Missouri, the state's Republican-dominated legislature has attempted to ignore voter-passed amendments before. After Missouri voters added Medicaid expansion to the state's constitution in 2020, the state legislature refused to fund the program until a [judge ordered](#) the state to start accepting applications, [prompting significant delays](#) in enrollment.

The state's presumptive House speaker, Republican [Jon Patterson](#), has said the legislature [must respect the outcome](#) of the November 5 ballot measure vote, while others have pledged to bring the issue to voters again.

In the meantime, Dreith of the Midwest Access Coalition said people seeking abortions in the Midwest will do what they often do in the region for everything from groceries to health care: drive.

"We expect that the resources we need are not in our communities," Dreith said, "and I think that's been helpful to us in this crisis."

KFF Health News' Renuka Rayasam and Sam Whitehead in Georgia and Arielle Zions in South Dakota contributed to this report.

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