



# State Facts About Abortion

## Texas

### National Background and Context

Each year, a broad cross section of U.S. women obtain abortions. As of 2014, some 60% of women having abortions were in their 20s; 59% had one or more children; 86% were unmarried; 75% were economically disadvantaged; and 62% reported a religious affiliation. No racial or ethnic group made up a majority: Some 39% of women obtaining abortions were white, 28% were black, 25% were Hispanic and 9% were of other racial or ethnic backgrounds.

Contraceptive use is a key predictor of whether a woman will have an abortion. In 2011, the very small group of American women who were at risk of experiencing an unintended pregnancy but were not using contraceptives accounted for the majority of abortions. Many of these women did not think they would get pregnant or had concerns about contraceptive methods. A minority of abortions occurred among the much larger group of women who were using contraceptives in the month they became pregnant. Many women who fall into this category have reported difficulty using contraceptives consistently.

Abortion is one of the safest surgical procedures for women in the United States. Fewer than 0.05% of women obtaining abortions experience a complication.

Since recognizing a woman's constitutional right to abortion in 1973 in *Roe v. Wade*, the U.S. Supreme Court has in subsequent decisions reaffirmed that right. The Court has held that a state cannot ban abortion before viability (the point at which a fetus can survive outside the uterus), and that any restriction on abortion after viability must contain exceptions to protect the life and health of the woman. Furthermore, any previability abortion restriction cannot create an "undue burden" on a woman seeking an abortion. This "undue burden" standard was established in *Planned Parenthood v. Casey* in 1992 and clarified in the 2016 decision in *Whole Woman's Health v. Hellerstedt*. The latter held that scientific evidence must be considered when evaluating the constitutionality of abortion restrictions. Some of the most common state-level abortion restrictions are parental notification or consent requirements for minors, limitations on public funding, mandated counseling designed to dissuade a woman from obtaining an abortion, a mandated waiting period before an abortion, and unnecessary and overly burdensome regulations on abortion facilities.

Since 2010, the U.S. abortion landscape has grown increasingly restrictive as more states become hostile to abortion rights. Between 2010 and 2016, states enacted 338 new abortion restrictions, which account for nearly 30% of the 1,142 abortion restrictions enacted by states since the 1973 Supreme Court decision in *Roe v. Wade*.

### Pregnancies and Their Outcomes

In 2011, the 63 million U.S. women of reproductive age (15-44) had six million pregnancies. Sixty-seven percent of these pregnancies resulted in live births and 18% in abortions; the remaining 15% ended in miscarriage.

Approximately 926,200 abortions occurred in the United States in 2014. The resulting abortion rate of 14.6 abortions per 1,000 women of reproductive age represents a 14% decrease from the 2011 rate of 16.9 per 1,000 women.

In 2014, some 55,230 abortions were provided in Texas, though not all abortions that occurred in Texas were provided to state residents, as some patients may have traveled from other states; likewise, some individuals from Texas may have traveled to another state for an abortion. There was a 28% decline in the abortion rate in Texas between 2011 and 2014, from 13.5 to 9.8 abortions per 1,000 women of reproductive age. Abortions in Texas represent 6.0% of all abortions in the United States.

### Where Women Obtain Abortions

In 2014, there were 1,671 facilities providing abortion in the United States, representing a 3% decrease from the 1,720 facilities in 2011. Sixteen percent of facilities in 2014 were abortion clinics (i.e., clinics where more than half of all patient visits were for abortion), 31% were nonspecialized clinics, 38% were

hospitals and 15% were private physicians' offices. Fifty-nine percent of all abortions were provided at abortion clinics, 36% at nonspecialized clinics, 4% at hospitals and 1% at physicians' offices.

There were 44 abortion-providing facilities in Texas in 2014, and 28 of those were clinics. These numbers represent a 29% decline since 2011 in overall providers, and a 39% decline in clinics from 2011, when there were 62 abortion providers overall, of which 46 were clinics.

In 2014, 90% of U.S. counties had no clinics providing abortion. Some 39% of women of reproductive age lived in those counties and would have had to travel elsewhere to obtain an abortion. Of patients obtaining abortions in 2008, one-third had to travel more than 25 miles one way to reach a facility.

In 2014, some 96% of Texas counties had no clinics that provided abortion, and 43% of Texas women lived in those counties.

## Restrictions on Abortion

Most women must receive state-directed counseling that includes information designed to discourage her from having an abortion, and then wait 24 hours before the procedure is provided.

Medication abortion must be provided using the FDA protocol. The use of telemedicine to administer medication abortion is prohibited.

The parent of a minor must consent and be notified before an abortion is provided.

Public funding is available for abortion only in cases of life endangerment, rape or incest.

A woman must undergo an ultrasound at least 24 hours before obtaining an abortion; the provider must show and describe the image to the woman.

An abortion may be performed at 20 or more weeks postfertilization

(22 weeks after the woman's last menstrual period) only if the woman's life is endangered, her physical health is severely compromised or there is a lethal fetal anomaly. This law is based on the assertion, which is not consistent with scientific evidence and has been rejected by the medical community, that a fetus can feel pain at that point in pregnancy.

References for information contained in this fact sheet are available at <https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-texas>