



STATE-BY-STATE
GUIDE TO ABORTION
RIGHTS FOR THE
ENTERTAINMENT
INDUSTRY

PEACE BY PEACE PRODUCTIONS

FILM INDUSTRY STATE-BY-STATE GUIDE TO WOMEN'S BODILY AUTONOMY

Introduction

Following the passage of a number of draconian attacks on a pregnant person's right to choose in 2019, including those in states in which the motion picture and television industries conduct significant business, it has become apparent that those in our industry need to be able to make informed choices on where they will and will not work. This guide attempts to provide a snapshot of the current state of laws across the nation and serve as a quick-reference for actors, producers, directors, studios and other parties in deciding where it is safe for women to work.

About the Guide

This guide looks at both current (June 2019) top-line incentives offered by each state (as guided by filmproductioncapital.com), as well as some of the laws that would impact pregnant people who film in those states. Based on the laws and NOT factoring in the financials, each state is then color-coded on a traffic light system.

GREEN is Least Threatened

YELLOW is Threatened

RED is Most Threatened

Laws were sourced from NARAL Pro Choice America and Ballotpedia primarily. Where those sources differed (as is to be expected in a continually shifting legal landscape), other sources were used.

What this guide is NOT

This guide was developed with the notion that most of those making use of it in determining whether to travel to a state for work. With that, the writers attempted to look at the factors that would most affect those individuals and not the individuals residing in the state. As a result, it does not account for several factors that would be important to those residents, including limitations on providers, Medicaid or other public payments for health, and other limitations to abortion services. These factors can result in significant problems including race-based bias, income bias, and more. ***In no way should a “green” rating be interpreted to mean that these restrictions, should they exist in the state, are unimportant or approved of by the writers. Rather, they are simply less likely to directly impact the intended audience for this guide. Information on these laws can be found on a state by state basis on the NARAL Pro Choice America website, and the authors encourage you to read these.***

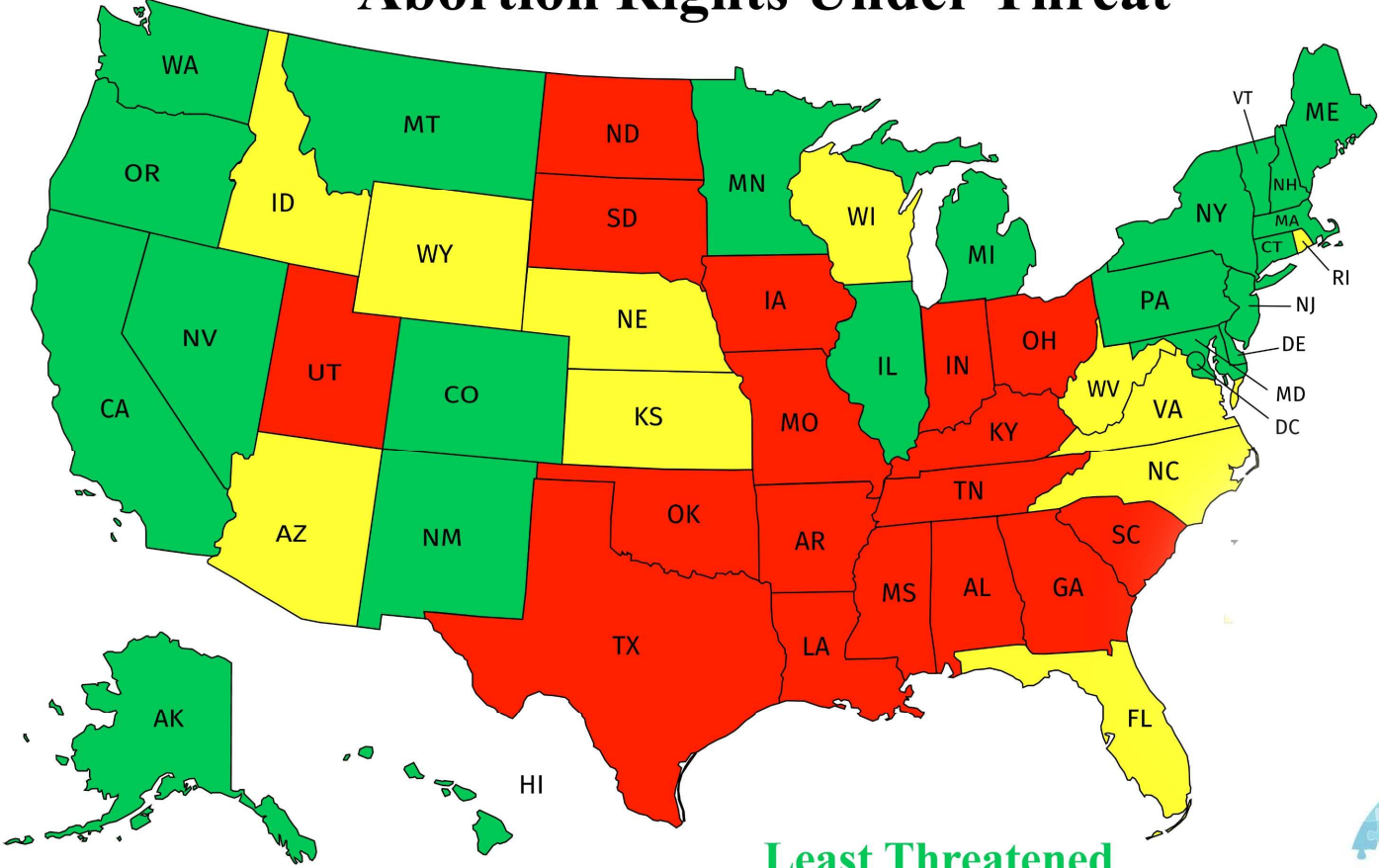
Insofar as the financial incentives are listed, these are meant to be *top-line* readings only. There are often additional limitations on these incentives based on spending, residency, duration of shoot, program caps, and more. For more information on a state-by-state basis, visit filmproductioncapital.com.

Finally, this guide looks *solely* at abortion law. “Green” states may have other significant human rights problems which are not addressed by the guide.

A note on language

Because we know that the LGBTQ community is also affected by abortion access and many nonbinary and transgender individuals may also need access to abortion, this guide attempts to use non-gender specific language like “those affected” or “Pregnant persons” or just “people.” This may sometimes conflict with state law, which may list “women” or “females” in some instances. Language matters.

Abortion Rights Under Threat



Least Threatened
Under Threat
Most Threatened



PEACE BY PEACE PRODUCTIONS

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ALABAMA

Most Threatened

INDUSTRY INCENTIVES

- 25% tax credit on qualified production expenses
- 35% tax credit on state resident payroll

CURRENT LAWS

- Abortion is permitted until the 20th week of pregnancy
- Ultrasound and "counseling" required
- 24-hour waiting period after "counseling"
- Pregnant persons under 18 must obtain parental consent

PENDING LAWS

- Abortion prohibited 6 weeks after fertilization, does not include exemptions for rape or incest

ALASKA

Least Threatened

INDUSTRY INCENTIVES

- 25% transferable tax credit on qualified production expenditures

CURRENT LAWS

- State law does not ban abortion at any gestational period
- “Counseling” required before procedure
- No parental notification required

PENDING LAWS

- No major pending laws regarding abortion

ARIZONA

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until the 24th week of pregnancy
Ultrasound and "counseling" required
24-hour waiting period after "counseling"
Pregnant persons under 18 must obtain parental consent

PENDING LAWS

- No major pending laws regarding abortion

ARKANSAS

Most Threatened

INDUSTRY INCENTIVES

- Expires June 30, 2019
- 20% cash rebate on qualified production expenditures
- 30% cash rebate on state resident payroll

CURRENT LAWS

- Abortion is permitted until the 20th week of pregnancy
- 48-hour waiting period after "counseling"
- Pregnant persons under 18 must obtain parental consent
- State has "trigger law" that will outlaw all abortions if Roe v. Wade is overturned.

PENDING LAWS

- No major pending laws regarding abortion

CALIFORNIA

Least Threatened

INDUSTRY INCENTIVES

- 25% transferable tax credit on qualified production expenditures

CURRENT LAWS

- Abortion is permitted until the “fetal viability”
- State law explicitly protects freedom of choice
- Pregnant persons under 18 must obtain parental consent

PENDING LAWS

- No major pending laws regarding abortion

COLORADO

Least Threatened

INDUSTRY INCENTIVES

- 20% tax credit on qualified production expenditures
- 50% of crew must be Colorado residents

CURRENT LAWS

- No week of pregnancy or viability ban in place
- Requires both parents of pregnant persons under the age of 18 be notified in most instances

PENDING LAWS

- No major pending laws regarding abortion

CONNECTICUT

Least Threatened

INDUSTRY INCENTIVES

- Scalable transferable tax credit of up to 30% based on spend for television and streaming productions, theatrical productions may qualify based on percentage of production shooting in state

CURRENT LAWS

- State law explicitly protects freedom of choice
- Post-viability ban in place without physician approval

PENDING LAWS

- No major pending laws regarding abortion

DELAWARE

Least Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion permitted until fetal viability
Generally requires notification of one parent of pregnant persons under the age of 16

PENDING LAWS

- No major pending laws regarding abortion

DISTRICT OF COLUMBIA

Least Threatened

INDUSTRY INCENTIVES

- 35% cash rebate on taxable expenditures
- 21% on non-taxable expenditures
- 30% on resident payroll
- 10% on non-resident payroll

CURRENT LAWS

- Almost no restrictions or barriers to abortion

PENDING LAWS

- No major pending laws regarding abortion

FLORIDA

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Current laws permit abortion through the second trimester of pregnancy.
- Ultrasound required
- Requires notification of one parent of pregnant persons under the age of 18

PENDING LAWS

- 6-week ban introduced

GEORGIA

Most Threatened

INDUSTRY INCENTIVES

- 20% transferrable tax credit on qualified production expenditures, can scale to 30% for logo in credits

CURRENT LAWS

- Abortion is permitted until the 20th week of pregnancy
- 18-hour waiting period after "counseling"
- Requires consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- New law bans abortion after 6th week of pregnancy, creates criminal penalties for those who provide abortions, and may criminalize women who obtain abortions even out of state, effective 1/1/2020

HAWAII

Least Threatened

INDUSTRY INCENTIVES

- 20% tax credit on qualified production expenditures, can scale to 25% based on location

CURRENT LAWS

- Abortion permitted until "fetal viability."
- State law specifically protects a pregnant person's right to choose

PENDING LAWS

- No major pending laws

IDAHO

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until the 20th week of pregnancy
- 24-hour waiting period after "counseling"
- Requires consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending laws

ILLINOIS

Least Threatened

INDUSTRY INCENTIVES

- 30% transferrable tax credit on qualified production expenditures, EXCLUDES non-resident payroll.
- Additional incentives for resident payroll to qualifying individuals

CURRENT LAWS

- Abortion permitted until "fetal viability."
- Requires notification of one parent at least 48 hours prior to procedure
- Expanded state law to specifically protect choice, June 2019

PENDING LAWS

- No major pending laws

INDIANA

Most Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until the 20th week of pregnancy
- "Counseling" required
- 24-hour waiting period after "counseling"
- Requires consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending laws

IOWA

Most Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion permitted until "fetal viability."
- Pregnant persons must undergo an ultrasound prior to procedure
- Requires notification of one parent of pregnant persons under 18

PENDING LAWS

- 6-week ban declared unconstitutional by state court in 2019, likely to be appealed.

KANSAS

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until the 20th week of pregnancy
- "Counseling," ultrasound, and 24-hour waiting period
- Requires consent of both parents before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

KENTUCKY

Most Threatened

INDUSTRY INCENTIVES

- 30% tax credit on qualified production expenditures, productions must have Kentucky liability to qualify
- 35% tax credit for qualifying resident payroll

CURRENT LAWS

- Abortion until 20th week
- "Counseling" and 24-hour waiting period
- Consent of one parent before procedure for pregnant persons under the age of 18
- State has "trigger law" that will outlaw all abortions if Roe v. Wade is overturned.

PENDING LAWS

- A near-total six-week ban is currently blocked by courts as the case progresses

LOUISIANA

Most Threatened

INDUSTRY INCENTIVES

- Redeemable tax credit, 25-40% of qualified expenses based on percent of shoot in state

CURRENT LAWS

- Abortion until the 20th week
- "Counseling," 72-hour waiting period and ultrasound
- Consent of one parent for pregnant persons under 18
- State has "trigger law" that will outlaw all abortions if Roe v. Wade is overturned.

PENDING LAWS

- 6-week near total ban to take effect if/when similar Mississippi law is upheld in courts, does not provide exceptions for rape or incest

MAINE

Least Threatened

INDUSTRY INCENTIVES

- 5-12% non-transferable tax credit depending on type of qualifying expenditure, producers must have ME liability to qualify

CURRENT LAWS

- State law explicitly protects freedom of choice
- Post-viability ban in place
- State law requires consent of one parent prior to procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

MARYLAND

Least Threatened

INDUSTRY INCENTIVES

- 25-27% refundable tax credit on qualified production expenditures

CURRENT LAWS

- State law explicitly protects freedom of choice
- Post-viability ban in place
- State law requires notice of one parent prior to procedure for pregnant persons under the age of 18

PENDING LAWS

- 6-week ban introduced state legislature in 2019 but is highly unlikely to become law.

MASSACHUSETTS

Least Threatened

INDUSTRY INCENTIVES

- 25% transferrable and redeemable tax credit on qualified production expenditures

CURRENT LAWS

- Abortion through the 24th week after implantation.
- "Counseling" required, but portions of this law have been permanently blocked by courts.
- Consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

MICHIGAN

Least Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until "fetal viability."
- "Counseling" and 24-hour waiting period
- Requires consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

MINNESOTA

Least Threatened

INDUSTRY INCENTIVES

- 20% cash rebate on qualifying expenditures, scales to 25% based on spend or percent of shoot in state

CURRENT LAWS

- Abortion is permitted until "fetal viability."
- "Counseling" and 24-hour waiting period
- Requires notice to one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- A 6-week ban has been introduced in the legislature but is unlikely to become law with current makeup of state government.

MISSISSIPPI

Most Threatened

INDUSTRY INCENTIVES

- 25% cash rebate on qualified production expenditures (EXCLUDES non-resident compensation)
- 30-35% cash rebate on resident payroll depending on veteran status

CURRENT LAWS

- Abortion through the 20th week after the last menstrual period.
- "Counseling, ultrasound and 24-hour waiting period
- "Trigger law" that will outlaw all abortions if Roe v. Wade is overturned.

PENDING LAWS

- A six-week ban without protections for rape and incest was scheduled to take effect July 1, 2019. It is currently temporarily blocked by courts as the case progresses.

MISSOURI

Most Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until the 20th week after fertilization
- "Counseling" and 72-hour waiting period required
- Requires consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- 8-week ban scheduled to take effect on August 28, 2019. Does not include exceptions for rape or incest

MONTANA

Least Threatened

INDUSTRY INCENTIVES

- Up to 20% cash rebate on qualified production expenditures

CURRENT LAWS

- Abortion is permitted until "fetal viability."
- While state law currently requires parental consent for pregnant persons under the age of 18, state courts have blocked enforcement of this provision

PENDING LAWS

- No major pending changes

NEBRASKA

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until 20 weeks post fertilization.
- "Counseling" required
- 24-hour waiting period after "counseling"
- Requires notarized consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

NEVADA

Least Threatened

INDUSTRY INCENTIVES

- 15% tax credit on qualified production expenditures, scales up to 25% if certain benchmarks are met

CURRENT LAWS

- Abortion is permitted until 24 weeks post fertilization.
- State law specifically protects freedom of choice
- Requires notification of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

NEW HAMPSHIRE

Least Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- No week of pregnancy or viability ban in place
- Requires notification of one parent of pregnant persons under the age of 18.

PENDING LAWS

- No major pending changes

NEW JERSEY

Least Threatened

INDUSTRY INCENTIVES

- 30-37% transferrable tax credit on qualified production expenditures based on location and crew diversity

CURRENT LAWS

- No week of pregnancy or viability ban in place
- While state law requires notification of one parent before procedure of pregnant persons under the age of 18, a state court rendered this law unenforceable.

PENDING LAWS

- No major pending changes

NEW MEXICO

Least Threatened

INDUSTRY INCENTIVES

- 25% tax credit on qualified theatrical production expenditures
- 30% tax credit on qualified television production expenditures
- 15-30% tax credit on BTL payroll

CURRENT LAWS

- No week of pregnancy or viability ban in place
- While state law requires consent of one parent of pregnant persons under the age of 18 before procedure, the state Attorney General determined this law is unenforceable.

PENDING LAWS

- No major pending changes

NEW YORK

Least Threatened

INDUSTRY INCENTIVES

- 30% tax credit on qualified production expenditures
- Up to 40% tax credit on qualifying BTL payroll
- 35% tax credit on qualifying post-production

CURRENT LAWS

- State law explicitly protects freedom of choice
- Abortion is permitted through the 24th week of pregnancy.

PENDING LAWS

- No major pending changes

NORTH CAROLINA

Threatened

INDUSTRY INCENTIVES

- 25% cash rebate on qualifying production expenditures

CURRENT LAWS

- Abortion is permitted through the 20th week after the last menstrual period.
- Counseling and 72-hour waiting period, ultrasound required after 16 weeks.
- Consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

NORTH DAKOTA

Most Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion through the 20th week after fertilization.
- "Counseling" and 24-hour waiting period
- Consent of both parents for pregnant persons under 18
- "Trigger law" that will outlaw all abortions if Roe v. Wade is overturned.

PENDING LAWS

- 6-week ban enacted but was struck down by federal courts

OHIO

Most Threatened

INDUSTRY INCENTIVES

- 30% tax credit on qualified production expenditures

CURRENT LAWS

- Abortion is permitted through the 20th week after fertilization.
- "Counseling" required
- 24-hour waiting period after "counseling"
- Requires consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- 6-week ban slated to take effect on July 10, 2019.

OKLAHOMA

Threatened

INDUSTRY INCENTIVES

- 30% tax credit on qualified production expenditures

CURRENT LAWS

- Abortion is permitted through the 20th week after fertilization.
- "Counseling," 72-hour waiting period and ultrasound
Requires notification and consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes

OREGON

Least Threatened

INDUSTRY INCENTIVES

- 20% cash rebate on qualifying non-payroll expenditures
- 16.2% cash rebate on resident and non-resident payroll

CURRENT LAWS

- State law explicitly protects freedom of choice.
- No week of pregnancy or viability ban in place

PENDING LAWS

- No major pending changes

PENNSYLVANIA

Least Threatened

INDUSTRY INCENTIVES

- 25% transferrable tax credit on qualified production expenditures, scales to 30% if certain benchmarks are met

CURRENT LAWS

- Abortion is permitted through the 24th week after the last menstrual period.
- "Counseling" and 24-hour waiting period required
- Requires consent of one parent before procedure for pregnant persons under the age of 18

PENDING LAWS

- No major pending changes,

PUERTO RICO

Most Threatened

INDUSTRY INCENTIVES

- 40% transferable tax credit on qualified production expenditures, 20% on non-resident compensation

CURRENT LAWS

- Abortion is permitted solely to protect the physical health of the mother. All other abortions are considered criminal.

PENDING LAWS

- No major pending changes,

PUERTO RICO

Most Threatened

INDUSTRY INCENTIVES

- 40% transferable tax credit on qualified production expenditures, 20% on non-resident compensation

CURRENT LAWS

- Abortion is permitted solely to protect the physical health of the mother. All other abortions are considered criminal.

PENDING LAWS

- No major pending changes,

RHODE ISLAND

Threatened

INDUSTRY INCENTIVES

- 30% transferable tax credit on qualified production expenditures

CURRENT LAWS

- Abortion is permitted through the 24th week after the last menstrual period.
- "Counseling" required before procedure.
- Requires consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- The Democratic state legislature attempted to pass an affirmative protection of abortion rights in 2019 but the measure was defeated.

SOUTH CAROLINA

Most Threatened

INDUSTRY INCENTIVES

- 30% cash rebate on qualifying non-payroll expenses
- 25% cash rebate on resident payroll
- 20% cash rebate on non-resident payroll

CURRENT LAWS

- Abortion is permitted through the 20th week after fertilization.
- "Counseling" required
- 24-hour waiting period after "counseling"
- Requires consent of one parent for pregnant persons under the age of 17

PENDING LAWS

- 6-week ban passed state House in 2019, not yet taken up in Senate. Governor intends to sign if passed.

SOUTH DAKOTA

Most Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion through the 20th week after fertilization.
- "Counseling" and 72-hour waiting period required
- Requires notice to one parent for those under the age of 18
- "Trigger law" that will outlaw all abortions if Roe v. Wade is overturned.

PENDING LAWS

- No major pending changes.

TENNESSEE

Most Threatened

INDUSTRY INCENTIVES

- 25% cash rebate on qualified production expenditures (EXCLUDES non-resident compensation)
- Additional incentives for scripted television

CURRENT LAWS

- Abortion is permitted until "fetal viability."
- "Counseling" required
- 48-hour waiting period after "counseling"
- Requires consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- State House passed 6-week heartbeat bill in 2019. Currently postponed indefinitely by state Senate.

TEXAS

Most Threatened

INDUSTRY INCENTIVES

- 5-22.5% cash rebate for qualified production expenses based on type of production, spend, and percentage of shoot in state

CURRENT LAWS

- Abortion is permitted until 20 weeks after fertilization.
- "Counseling," ultrasound, and 24-hour waiting period
- Requires notification to and consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- 6-week ban introduced in state House in 2019

UTAH

Most Threatened

INDUSTRY INCENTIVES

- 20% refundable tax credit on qualified production expenditures, scales to 25% if certain benchmarks are met

CURRENT LAWS

- Abortion is permitted until "fetal viability."
- "Counseling," ultrasound, and 72-hour waiting period
- Requires notification to and consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- Has an 18-week ban which is currently unenforceable pending court battle. Seen as likely location for next 6-week ban

VERMONT

Least Threatened

INDUSTRY INCENTIVES

- No incentives at this time

CURRENT LAWS

- Vermont has no laws restricting the number of weeks into pregnancy an abortion can be performed, or which require counseling, or which require parental notification or consent

PENDING LAWS

- No major pending law changes

VIRGINIA

Threatened

INDUSTRY INCENTIVES

- 15% refundable tax credit on qualified production expenditures
- 25-45% refundable tax credit on resident payroll for qualifying individuals

CURRENT LAWS

- Abortion is permitted through the second trimester as measured from the last menstrual period..
- "Counseling, 24-waiting period and ultrasound
- Requires notice to and consent of one parent for those under 18

PENDING LAWS

- No major pending law changes

WASHINGTON

Least Threatened

INDUSTRY INCENTIVES

- 30% cash rebate on qualified production expenditures EXCLUDING non-resident pay
- 15% cash rebate on non-resident compensation
- 35% cash rebate for certain television productions

CURRENT LAWS

- State law explicitly protects freedom of choice.
- Abortion is permitted until "fetal viability."
- There are no state laws requiring "counseling," delays, or parental notification or consent.

PENDING LAWS

- No major pending law changes

WEST VIRGINIA

Threatened

INDUSTRY INCENTIVES

- 30% cash rebate on qualified production expenditures EXCLUDING non-resident pay
- 15% cash rebate on non-resident compensation
- 35% cash rebate for certain television productions

CURRENT LAWS

- Abortion is permitted through the 22nd week after the last menstrual period.
- "Counseling", 24-hour waiting period and ultrasound required
- Requires notification to one parent for pregnant persons under the age of 18

PENDING LAWS

- 6-week ban introduced in 2019. If passed, it currently seems unlikely to be signed by governor but this COULD change. If so, West Virginia would become "Most Threatened"

WISCONSIN

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted through the 20th week after fertilization.
- "Counseling, 24-hour waiting period and ultrasound required
- Requires consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- Wisconsin has no pending changes but electorate has been especially volatile on social issues. Arguments could be made to call this "least threatened" at present

WYOMING

Threatened

INDUSTRY INCENTIVES

- No current incentives

CURRENT LAWS

- Abortion is permitted until "fetal viability."
- Requires notification to and consent of one parent for pregnant persons under the age of 18

PENDING LAWS

- No current major changes pending but strongly anti-choice state legislature and executive