



North Carolina NOW Legislative Update 1 February 2021

The North Carolina General Assembly is back in session. That means, pay attention because your life, your liberties, and your rights are on the line.

Two of the biggest issues this long session will deal with are the state budget (with many bitter battles on many fronts) and reapportionment. The census data from the 2020 census will be available in early April, and new lines for Congressional districts will be drawn based on that data. North Carolina is expected to add a new Congressional seat this year, increasing our representatives from 13 to 14. Expect lots of gerrymandering followed by a rash of court cases.

Bills for North Carolina to ratify the Equal Rights Amendment to the U.S. Constitution have already been introduced in both the House (HB 8) and Senate (SB15). North Carolina NOW will participate in the big push to finally get ratification through this year. NC NOW is a proud member of the ERA-NC Alliance, a statewide coalition of groups advocating for the ERA.

On the down side, opponents to women's reproductive rights have introduced their first bill to restrict abortion rights, a "fetal heartbeat" bill (HB31). This bill is a de facto ban on all abortions because a "fetal heartbeat" can be detected at six to seven weeks of pregnancy—generally before a woman even knows she is pregnant. The term "fetal heartbeat" itself is controversial because at six weeks the embryonic cardio-vascular system is so immature that what is present has been described as "a group of cells with electrical activity." Another problem with these bills is that when a so-called "heartbeat" can be detected varies widely depending on the technology used. In 2015 North Dakota's fetal heartbeat bill was ruled unconstitutional by the Supreme Court. But new versions have been introduced in several states in hopes that one will reach the Supreme Court and be upheld.

North Carolina NOW supports a long-overdue bill (HB33) to give same-sex couples equal protection in instances of domestic violence. It is shocking, but North Carolina's current domestic violence statutes apply only to couples of the opposite sex—which means same-sex couples are denied both protection and services. This act remedies the situation by removing gendered language from the law.

In addition to a weekly narrative, this legislative update will include a list of bills that we are tracking. The list includes a brief description of the bill, followed by its current status in the legislative process. This week we have started to track the progress of the bills to ratify the ERA, the so-called fetal heartbeat bill, and a bill to provide protection and services to same-sex couples in cases of domestic violence.

HOUSE BILLS

HB8 (=SB15) NC Adopt ERA: An act to ratify the Equal Rights Amendment to the U. S. Constitution.
1/28/21: House Rules

HB31 Detected Heartbeat/Prohibit Abortion: An act to prohibit abortion after the embryo has a “detectable heartbeat” except in medical emergencies. This bill is a de facto ban on all abortions because a “fetal heartbeat” can be detected at six to seven weeks of pregnancy—generally before a woman even knows she is pregnant. The term “fetal heartbeat” itself is controversial because at six weeks the embryonic cardio-vascular system is so immature that what is present has been described as “a group of cells with electrical activity.” Another problem with these bills is that when a so-called “heartbeat” can be detected varies widely depending on the technology used. In 2015 North Dakota’s fetal heartbeat bill was ruled unconstitutional by the Supreme Court. New versions have been re-introduced in several states in hopes that one will reach the Supreme Court and be upheld.
1/28/21: Filed

HB33 Broaden Applicability of DV Statutes: It is shocking, but North Carolina’s current domestic violence statutes apply only to couples of the opposite sex—which means same sex couples are denied both protection and services. This act remedies the situation by removing gendered language from the law.
1/28/21: Filed

SENATE BILLS

SB15 (=HB8) NC ADOPT ERA: An act to ratify the Equal Rights Amendment to the U. S. Constitution.
1/28/21: Filed