

Gender & Sexuality Action Committee Fact Sheet

2024 Abortion State Ballots Measures

NEBRASKA (2)

Abortion Limit Under Current Law:

12 weeks since last menstrual period

Voting Criteria:

Since there are 2 opposing initiative in Nebraska, in order for the initiative to pass it must meet 3 criteria

1. Greater than 50% of voters on that initiative must vote in favor of that initiative (aka, out of all voters voting yes or no for the initiative, half must vote yes)
2. At least 35% of the total voters in the election must vote in favor of that initiative (aka, 35% of everyone that votes in general (even if they do not vote on every ballot), must select yes)
3. The initiative must receive a greater number of votes than the competing initiative



NEBRASKA

Nebraska Initiative 439: Right to Abortion

Summary:

- Citizen-initiated measure to amend the state constitution to
 - establish a fundamental right to abortion up to fetal viability
 - allow abortion when it is needed to protect the life or health of the pregnant person

See above for the criteria needed to meet to pass:

- **YES vote means:** Supporting the amendment to establish a right to abortion up to fetal viability.
- **NO vote means:** Opposing the change to establish a right to abortion until fetal viability. Meaning the current law would stay in place which prohibits abortions after 12 weeks since the last menstrual period.

Complete Ballot Text:

- A. Article 1 of the Nebraska Constitution shall be amended by adding a new section 31 as shown:
 - a. All persons shall have a fundamental right to abortion until fetal viability, or when needed to protect the life or health of the pregnant patient, without interference from the state or its political subdivisions. Fetal viability means the point in pregnancy when, in the professional judgment of the patient's treating health care practitioner, there is a significant likelihood of the fetus' sustained survival outside the uterus without the application of extraordinary medical measures.

Nebraska Initiative 434:

Prohibit Abortions After the First Trimester Amendment

Summary:

- Citizen-initiated measure to amend the state constitution to ban abortion after the first trimester (except in medical emergencies or if the pregnancy is due to sexual assault or incest)

See above for the criteria needed to meet to pass:

- **YES vote means:** Supports amending the constitution to prohibit abortion after the first trimester unless the abortion is for pregnancy resulting from sexual assault or incest, or for a medical emergency.
- **NO vote means:** Opposing amending the constitution to prohibit abortions after the first trimester. Meaning the current law would stay in place which prohibits abortions after 12 weeks since the last menstrual period.

Complete Ballot Text:

- A. Article 1 of the Nebraska Constitution shall be amended by adding a new section 31 that states as follows:
 - a. Except when a woman seeks an abortion necessitated by a medical emergency or when the pregnancy results from sexual assault or incest, unborn children shall be protected from abortion in the second and third trimesters.

Resources:

- [Learn more about abortion policies in Nebraska](#)
- [Learn more about the Nebraska Ballot Right to Abortion](#)
- [Learn more about the Nebraska Ballot Prohibit Abortions after the First Trimester Amendment](#)
- [See KFF Ballot Tracker](#)
- [Get & Share the Facts on How Pregnancies Really Develop](#)

[Visit the AMSA Gender & Sexuality Action Committee page](#)

[Explore the AMSA Abortion Care & Reproductive Health Project](#)

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