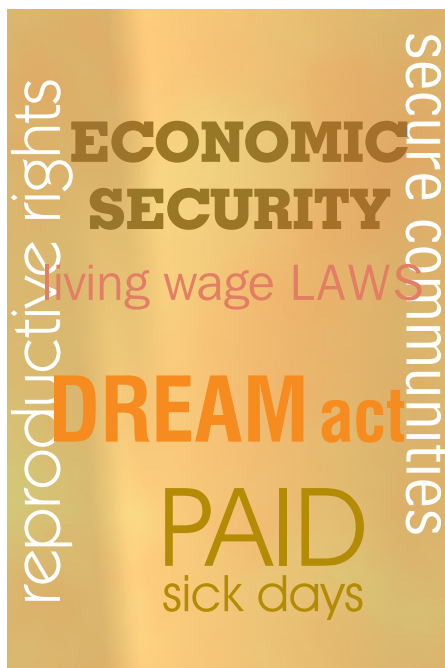


STATE LEGISLATIVE ROUNDUP FOR 2011

JULY 2011

Clear trends in state-level legislation thus far in 2011 reflect challenges ahead for women of color in the areas of economic security, immigration reform, and reproductive rights. In the aftermath of the recession, women of color face mounting economic pressures, including high unemployment rates and threats to social benefits at the federal level.



INCLUSION.

The 2010 election saw a significant shift in state house demographics as Republicans took control over 19 state legislative chambers and 675 new Republican legislators were elected.¹ In total, Republicans now control the governorship and both houses of the legislature in 20 states.² This past session, state legislatures advanced gains for workers in some states and major attacks to workers' rights, reproductive rights, and social equity in others. This brief provides an overview of state-level legislative wins and losses in three main areas—economic security, immigration reform, and reproductive rights—and highlights what they mean for women of color, their families, and communities.

ECONOMIC SECURITY

At the state level, there were promising gains in the areas of paid sick days and living wage laws. There were also attacks on workers' rights, as evidenced in the states of Wisconsin, Florida, and Ohio. This section provides a detailed review of state legislative activity on paid sick days, living wage laws, and anti-worker policies in the first half of 2011.

Paid Sick Days

Guaranteed paid sick days allow workers to care for themselves and their families without compromising their job security and economic well-being. Additionally, paid sick days provide a social benefit to victims of domestic violence, who can use the earned time as 'safe days' to seek support, according to the acceptable use guidelines in bills that have been introduced in six states. Paid sick days legislation is particularly beneficial to workers of color, who are overrepresented in low-wage, hourly occupations that often fail to provide this essential benefit.

In June 2011, Connecticut became the first state in the nation to pass a statewide paid sick days law, SB 913.³ The legislation provides up to five paid sick days annually for full-time workers. Similar bills have been introduced this year in Arizona, California, Illinois, Massachusetts, New York, North Carolina, and Vermont.⁴ In Hawaii, a bill prohibiting labor organizations and employers with collective bargaining agreements from firing or penalizing workers for using accrued and available sick leave was signed into law in June 2011.⁵ States and cities across the nation—including Seattle, Denver, New York City, and Miami—continue to actively build support for paid sick days and hope to draw from the momentum of recent state and local paid sick days victories.

Though the viability of paid sick days legislation has gained traction through the work of various state and city campaigns and coalitions, there have been some setbacks. At the local level, Mayor Nutter vetoed the city council-passed paid sick days legislation in Philadelphia in June 2011.⁶ In May 2011, the Wisconsin state legislature passed a bill stripping local authority to enact any paid sick days law.⁷ Unless the law is repealed at a future date, paid sick days legislation can only pass at the state level, precluding the implementation of Milwaukee's paid sick days ordinance.

Living Wage Laws

Minimum wage and living wage laws affect women of color who struggle to make ends meet in low-wage occupations. As child care subsidies and other work supports have come under fire at the federal level, securing a reasonable living wage standard could help protect the economic security of Americans during these challenging times. Campaigns promoting a living wage distinguish the standard from the minimum wage as a calculation based on cost of living that includes funding for shelter, food, health care, and other basic necessities.⁸

Advocacy campaigns have played a significant role in raising the profile of living wage legislation in 2011. In January 2011, an Annapolis-based non-profit organization, Progressive Maryland, initiated the ‘Raise Maryland!’ campaign to increase the state’s minimum wage from the federal minimum to \$10 per hour by 2013.⁹ In New York City, Living Wage NYC has advocated for the passage of The Fair Wages for New Yorkers Act, legislation introduced in May 2011 that would require developers or employers receiving financial assistance earmarked for economic development to guarantee a living wage to their employees.¹⁰

In January 2011, seven states increased the minimum wage to adjust for regional or national inflation rates. The increases ranged from 9 to 12 cents and affected approximately 647,000 minimum wage workers. Legislation outlining significant cost-of-living increases to minimum wage remains pending in Georgia,¹¹ Illinois,¹² Maryland,¹³ and Pennsylvania.¹⁴ In West Virginia, pending legislation would set a minimum annual wage of \$20,000 for all public employees,¹⁵ reflecting a growing trend toward a more comprehensive assessment of wage standards.

Legislation introduced in other states would have the opposite effect, impairing residents’ prospects for earning a living wage. In June 2011, New Hampshire passed a law prohibiting the state’s minimum wage from exceeding federal minimum wage.¹⁶ A similar bill passed the House in Missouri¹⁷ and remains active in the state Senate.

Anti-Worker Legislation

Over 800 bills attacking the collective bargaining rights of public workers have already been introduced into state capitols this year,¹⁸ including restrictive legislation that passed in Ohio¹⁹ and Wisconsin.²⁰ Women represent the majority of public workers at the state and local level (52 percent and 61 percent, respectively²¹) and have a special stake in the outcome of state-level battles against collective bargaining. Union jobs often provide increased access to childcare, job security, and paid time off; additionally, although the typical full-time woman worker does not earn as much as a man in any state, unionized women workers earn, on average, 11.2 percent more than their non-unionized counterparts.²²

In 2011, 18 states introduced Right to Work Acts,²³ which allow private workers to opt out of joining unions, thereby undermining the collective power that sustains unions’ political influence. Though Right to Work bills failed in New Mexico²⁴ and New Hampshire,²⁵ legislation remains active in at least 11 other states.

Earlier this year, the dramatic and contentious Wisconsin Act 10,²⁶ which eliminates collective bargaining rights for the majority of public workers, was stalled by a judicial review of voting procedures leading to the legislation’s passage. In June 2011, Wisconsin’s Supreme Court voted 4-3 that the judge who issued a restraining order against publication of the law had acted beyond her authority, thereby leaving the door open to its implementation and the abolishment of workers’ bargaining rights in the state.²⁷

Additional laws pending in several states would require written authorization to use union member dues for political activity, increase union workers’ contributions to pensions and health insurance plans, and restrict the bargaining power of specific groups. In Indiana, for example, an active bill would limit the bargaining power of unionized teachers to wages and benefits, and would impose deadlines that would turn deadlocks against their favor.²⁸ Labor experts attribute the rise in anti-worker legislative activity to the economic downturn, GOP gains in November, and influence by tea-party groups.²⁹

IMMIGRATION REFORM

Denying immigrants basic rights through intrusive identification practices only exacerbates existing inequalities and isolates immigrant communities, including women of color. Anti-immigrant legislation erodes worker protections and the civil rights of undocumented immigrants. The Network’s recent brief on state-level immigration efforts highlights the hardships placed on immigrant communities as a result of anti-immigrant legislation.³⁰

Moving forward, states must consider the benefits that result from integrative practices, modeling legislation on strategies that support the full potential of all residents. This section details state-level activity on the DREAM Act, Secure Communities, and anti-immigrant legislation.

The DREAM Act

State versions of the federal DREAM Act have succeeded in 13 states over the past 10 years.³¹ In 2011, Connecticut and Maryland³² passed legislation to provide educational benefits to undocumented immigrant students, including access to in-state tuition rates for public colleges. A similar measure passed the Senate in Illinois in May 2011,³³ and the pending California Dream Act of 2011, half of which cleared the state Senate in July 2011,³⁴ would allow undocumented students who are eligible for in-state tuition to also be eligible for financial aid.³⁵

Legislators in Indiana and Alabama have rejected the inclusive notions represented by the DREAM Act, enacting bills that explicitly exclude undocumented students from educational opportunities.³⁶ States that previously passed legislation restricting in-state tuition benefits from unauthorized residents include Arizona, Colorado, Georgia, and South Carolina.³⁷

Secure Communities

A number of states and cities have recently opted out of Secure Communities, a federal program aimed at identifying and removing individuals that U.S. Immigration and Customs Enforcement (ICE) refers to as “criminal aliens.”³⁸ New York, Illinois, and Massachusetts withdrew in 2011,³⁹ and the cities of Boston, Baltimore, and Oakland are also attempting to forgo or forestall their participation.⁴⁰ The Department of Homeland Security has indicated that all U.S. states are required to participate in the federal program,⁴¹ which currently operates in 50 percent of the country, with plans for nationwide expansion by 2013.⁴² In response to growing concerns about the program marginalizing immigrant communities, ICE Director John Morton announced reforms in June 2011 to protect crime victims and witnesses, increase training for local officials, and allow for greater “prosecutorial discretion” in pursuing cases against detainees.⁴³

Anti-Immigrant Legislation

Seven states have legislation pending that would curb the rights of undocumented immigrants by allowing law enforcement officers to request proof of legal residency either during stops for violations or based on “reasonable” suspicion that a person may be present in the country illegally. Twenty-six states rejected such measures during the 2011 session.⁴⁴

Meanwhile, five states successfully passed legislation similar to Arizona’s infamous SB 1070 in 2011: Alabama, Georgia, Indiana, Utah,⁴⁵ and, most recently, South Carolina.⁴⁶ Alabama’s HB 56,⁴⁷ signed into law by Governor Robert Bentley in June 2011, is widely recognized as the harshest law to date. The law would require proof of immigration status for primary and secondary school enrollment and prevent undocumented immigrants from enrolling in public colleges and universities.⁴⁸ North Carolina’s HB 744 also attempted to determine immigrant status of students enrolling in K-12 schools, a stipulation later amended to require a birth certificate as identification.⁴⁹ Federal injunctions have been issued against provisions in most SB 1070 copycat laws, with the exception of Alabama’s HB 56.⁵⁰

The spread of anti-immigrant sentiment is reflected in many other states with measures that would chip away at undocumented immigrants’ quality of life, such as the ability to obtain driver’s licenses in New Mexico,⁵¹ Connecticut,⁵² and Alabama,⁵³ and receive state benefits in Arkansas⁵⁴ (a measure which died in House Committee).

REPRODUCTIVE RIGHTS

A striking 470 anti-abortion laws made their way onto the agenda of state legislatures in the first half of 2011,⁵⁵ with a record 162 provisions passed in 19 states.⁵⁶ In April 2011 alone, 33 such laws were enacted in 9 states,⁵⁷ succeeding when federal measures HR 1⁵⁸ and HR 3⁵⁹ have stalled and demonstrating that attacks on reproductive rights are a real and ongoing threat to the livelihood and health of American women.

Legislation introduced in 17 states (AL, AR, FL, GA, ID, IN, IA, KS, KY, MD, MN, MS, NJ, NM, OK, OR, and SC) in 2011 would place gestational limits on abortion.⁶⁰ Most of these laws seek to ban the procedure after 20 weeks, the period designated in a bill that passed in Nebraska in 2010. Such measures have passed in Idaho, Indiana, Kansas, Oklahoma, and Alabama, and similar bills were approved by at least one legislative chamber in Florida and Iowa.⁶¹

Kansas, Nebraska, and North Dakota passed legislation in 2011 requiring parental consent for minors,⁶² and Indiana, Kansas, North Dakota, South Dakota, and Texas instituted mandatory waiting periods or counseling requirements before abortion procedures.⁶³ A judge blocked additional provisions in South Dakota’s law, including a three-day waiting period—the longest in the country—and mandatory counseling at pregnancy help centers⁶⁴ that offer “assistance to help a pregnant mother maintain her relationship with her unborn child and care for her unborn child.”⁶⁵

The language used in these and other bills reflects an alarming trend to attribute unsubstantiated characteristics to fetuses in order to deter women from obtaining abortions. Idaho's ban on abortion after 20 weeks, for example, is based on the disputed notion of fetal pain and allows exceptions only for a pregnancy threatening a woman's life—rape and incest do not qualify.⁶⁶ Anti-abortion legislation pending in Ohio similarly bans abortion after “viability”⁶⁷ and after detection of a heartbeat.⁶⁸ The bill passed the Ohio House of Representatives in June 2011 and, if passed by the state Senate and signed into law, could ban abortions after just six weeks without any exceptions for rape, incest, or even a mother's life or health.⁶⁹

Six states—Alabama, Arizona, Florida, Indiana, Kansas, and Texas—enacted laws this year requiring abortion providers to perform an ultrasound on each woman seeking an abortion. Bills are still pending in Kentucky⁷⁰ and Michigan.⁷¹ Louisiana legislators have gone so far as to seek a complete ban on all abortions by criminalizing the procedure as “feticide,”⁷² and South Dakota considered, but ultimately voted down, a bill that would have legalized homicide committed to prevent harm to a fetus.⁷³

Colorado, Indiana, Kansas,⁷⁴ and Washington, D.C.⁷⁵ followed the lead of HR 1 and HR 3 by passing ‘no taxpayer funding’ bills against abortion providers and organizations like Planned Parenthood. In June 2011, New Hampshire's five-person executive council rejected a \$1.8 million contract funding Planned Parenthood, effectively defunding reproductive health services after a measure to ban funding failed in the state's legislature earlier this year.⁷⁶ Legislation is still pending in Michigan, North Carolina, and Texas, and a similar measure was vetoed by the governor of Minnesota.⁷⁷ The assault also continues on insurance companies, with bills prohibiting them from offering coverage of abortions passed in Kansas, Indiana, and Florida, and pending in Alabama.

These measures have not passed unchallenged. In June 2011, a federal judge in Indiana issued an injunction against Indiana's HB 1210, blocking the defunding of Planned Parenthood and a provision that requires physicians to inform women seeking an abortion “that fetuses can feel pain at or before 20 weeks after fertilization.”⁷⁸ A judge in Kansas blocked licensing regulations included in an act that passed in April 2011, allowing abortion clinics to remain open pending a formal hearing. The new rules would have resulted in the closure of two of Kansas' three clinics, with Planned Parenthood the sole remaining abortion provider.⁷⁹ In Arizona, Planned Parenthood filed a lawsuit against two laws passed earlier this year that extend existing requirements for surgical abortions to RU-486 and prohibit nurse practitioners from administering the drug. The organization has argued that the measures are unconstitutional and will effectively ban abortions in three cities where clinics are not staffed by physicians, placing additional demand on centers in Tucson and Phoenix.⁸⁰ Planned Parenthood has also filed lawsuits against anti-abortion measures in South Dakota⁸¹ and North Carolina.⁸²

The potential and realized losses in reproductive healthcare services in these states place a disproportionate burden directly on the shoulders of low-income women of color, who lack the resources to pursue private or out-of-state alternatives.

CONCLUSION

Clear trends in state-level legislation thus far in 2011 reflect challenges ahead for women of color in the areas of economic security, immigration reform, and reproductive rights. In the aftermath of the recession, women of color face mounting economic pressures, including high unemployment rates and threats to social benefits at the federal level. Despite the promising passage of paid sick days legislation in Connecticut and Philadelphia and widespread increases to the minimum wage, attacks against collective bargaining and the institution of Right to Work laws signal significant setbacks for women's long-term economic security. The status of immigration reform further dampens the outlook, with aggressive legislation threatening the protections of civil rights for undocumented workers. Finally, the sheer number of measures seeking to curb the reproductive rights of women from various angles—including gestational term limits on abortions, overbearing counseling requirements, and restrictions on public funding for family planning—constitute a hijacking of women's individual choice that undermines the hard-fought, landmark victories of the past few decades.

(Endnotes)

- ¹ National Conference of State Legislatures, *A GOP wave washed over state legislatures on Election Day*, available at <http://www.ncsl.org/default.aspx?tabid=21696> (last accessed June 21, 2011).
- ² Stateline, *In an era of one-party rule, Republicans pass a sweeping state agenda*, available at <http://www.stateline.org/live/details/story?contentId=580741> (last accessed June 21, 2011).
- ³ “An Act Mandating Employers Provide Paid Sick Leave to Employee,” Senate Bill 913, Gen. Assem., Reg. Sess., (Connecticut 2011), available at <http://www.cga.ct.gov/2011/ACT/PA/2011PA-00052-R00SB-00913-PA.htm> (last accessed June 22, 2011).
- ⁴ National Partnership for Women & Families, *State and Local Action on Paid Sick Days as of June 2011*, available at http://www.nationalpartnership.org/site/DocServer/Paid_Sick_Days_Tracking_Update_July_2010.pdf?docID=1922 (last accessed July 14, 2011).
- ⁵ “Relating to Employment Practices,” Senate Bill 1076, 26th Gen. Assem., Reg. Sess., (Hawaii 2011), available at http://www.capitol.hawaii.gov/session2011/lists/measure_indiv.aspx?billtype=SB&billnumber=1076 (last accessed July 5, 2011).
- ⁶ NBC Philadelphia, *Mayor Nutter Vetoes Philly Sick Leave*, available at <http://www.nbcphiladelphia.com/news/politics/Mayor-Nutter-to-Move-on-Philly-Sick-Leave-124661499.html> (last accessed July 14, 2011).
- ⁷ National Partnership for Women & Families, *supra* note 4.
- ⁸ Living Wage NYC, *What Is a Living Wage?*, available at <http://www.livingwagencity.org/pagedetail.php?id=3> (last accessed June 30, 2011).
- ⁹ Let Justice Roll, *Raise Maryland! Building stronger futures for Maryland’s working families*, available at <http://letjusticeroll.org/news/001154-raise-maryland-building-stronger-futures-maryland-s-working-families> (last accessed June 30, 2011).
- ¹⁰ Int 0251-2010, The New York City Council 2010, available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=664291&GUID=A83A5A5B-9589-4589-AAD7-5B2C6884610F> (last accessed June 23, 2011).
- ¹¹ House Bill 97, 151st Gen. Assem., Reg. Sess., (Georgia 2011), available at http://www1.legis.ga.gov/legis/2011_12/pdf/hb97.pdf (last accessed July 14, 2011).
- ¹² Senate Bill 1565, 97th Gen. Assem., Reg. Sess., (Illinois 2011), available at <http://www.ilga.gov/legislation/97/SB/PDF/09700SB1565lv.pdf> (last accessed July 14, 2011).
- ¹³ “An Act concerning Labor and Employment – Maryland Wage and Hour Law – Payment of Wages,” House Bill 988, 428th Gen. Assem., Reg. Sess., (Maryland 2011), available at <http://mlis.state.md.us/2011rs/bills/hb/hb0988f.pdf> (last accessed July 14, 2011); crossfiled with Senate Bill 716, available at <http://mlis.state.md.us/2011rs/bills/sb/sb0716f.pdf> (last accessed July 14, 2011).
- ¹⁴ Senate Bill 235, Gen. Assem., Reg. Sess., (Pennsylvania 2011), available at <http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2011&ind=0&body=S&type=B&BN=0235> (last accessed, July 14, 2011).
- ¹⁵ House Bill 3110, 80th Gen. Assem., Reg. Sess., (West Virginia 2011), available at http://www.legis.state.wv.us/Bill_Status/bills_text.cfm?billdoc=hb3110%20intr.htm&yr=2011&sesstype=RS&i=3110 (last accessed July 14, 2011).
- ¹⁶ The Huffington Post, *New Hampshire Minimum Wage Restricted By Republicans*, available at http://www.huffingtonpost.com/2011/06/23/new-hampshire-minimum-wage-restricted-republicans_n_883117.html (last accessed June 28, 2011).
- ¹⁷ Senate Bill 110, 96th Gen. Assem., Reg. Sess., (Missouri 2011), available at <http://www.senate.mo.gov/11info/pdf-bill/intro/SB110.pdf> (last accessed July 14, 2011).
- ¹⁸ NPR, *Collective Bargaining Curbs Spread Across The U.S.*, available at <http://www.npr.org/2011/05/24/136610879/collective-bargaining-curbs-spread-across-the-u-s?ft=1&f=2> (last accessed, June 30, 2011).
- ¹⁹ The Plain Dealer, *Ohio lawmakers unlikely to cut their own pay while Senate Bill 5 expected to hit public workers in the pocketbook*, available at http://www.cleveland.com/open/index.ssf/2011/04/ohio_lawmakers_unlikely_to_cut.html (last accessed June 21, 2011).
- ²⁰ Salon.com, *Wis. Supreme Court upholds controversial union law*, available at http://www.salon.com/news/wisconsin/?story=/news/feature/2011/06/15/us_wisconsin_budget_unions_9 (last accessed June 21, 2011).
- ²¹ Institute for Women’s Policy Research, *Women and Men in the Public Sector*, available at <http://www.iwpr.org/publications/pubs/women-and-men-in-the-public-sector> (last accessed June 21, 2011).
- ²² Center for Economic and Policy Research, *Unions and Upward Mobility for Women Workers*, available at http://www.cepr.net/documents/publications/unions_and_upward_mobility_for_women_workers_2008_12.pdf (last accessed June 21, 2011).
- ²³ Wall Street Journal, *Bills Try to Curb Reach of Unions*, available at <http://online.wsj.com/article/SB10001424052748704810504576305642336428176.html> (last accessed June 21, 2011).
- ²⁴ “Enact Right to Work Act,” House Bill 311, 50th Gen. Assem., Reg. Sess., (New Mexico 2011), available at http://www.nmlegis.gov/lcs/_session.aspx?Chamber=H&LegType=B&LegNo=331&year=11 (last accessed July 14, 2011).
- ²⁵ UnionLeader.com, *O’Brien says right-to-work veto override vote can wait until fall*, available at <http://www.unionleader.com/article/20110622/NEWS06/110629962##static> (last accessed June 23, 2011).
- ²⁶ “2011 Wisconsin Act 10,” Gen. Assem., Special Session, (Wisconsin 2011), available at <http://legis.wisconsin.gov/2011/data/acts/11Act10.pdf> (last accessed June 23, 2011).
- ²⁷ *Ibid.*
- ²⁸ “A Bill for an Act to amend the Indiana code concerning education,” House Bill 1337, 117th Gen. Assem., Reg. Sess., (Indiana 2011), available at <http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2011&session=1&request=getBill&docno=1337> (last accessed June 23, 2011).
- ²⁹ Wall Street Journal, *supra* note 23.
- ³⁰ Women of Color Policy Network, *A Look at SB 1070 and State-Level Immigration Efforts*, available at http://wagner.nyu.edu/wocpn/publications/files/Immigration_Policy_Brief.pdf (last accessed June 21, 2011).
- ³¹ *Ibid.*
- ³² Center for American Progress, *Keeping the DREAM Alive*, available at http://www.americanprogress.org/issues/2011/06/keeping_dream_alive.html (last accessed June 28, 2011).
- ³³ The Huffington Post, *Illinois DREAM Act Passes State Senate With Overwhelming, Bipartisan Majority*, available at http://www.huffingtonpost.com/2011/05/04/illinois-dream-act-passes_n_857754.html (last accessed July 14, 2011).
- ³⁴ Colorlines, *Half of California DREAM Act Passes Senate, Moves to Governor’s Desk*, available at http://colorlines.com/archives/2011/07/half_of_california_dream_act_passes_senate_moves_to_governors_desk.html (last accessed July 15, 2011).
- ³⁵ “An act to amend Section 68130.7 of, and to add Section 66021.7 to, the Education Code, relating to student financial aid,” Assembly Bill 130, Gen. Assem., Reg. Sess., (California 2011), available at http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0101-0150/ab_130_bill_20110502_amended_asm_v95.html (last accessed July 14, 2011).
- ³⁶ Center for American Progress, *supra* note 32. Indiana’s HB 1402 is available at <http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2011&session=1&request=getBill&doctype=HB&docno=1402> (last accessed June 28, 2011). Alabama passed their measure as part of HB 56, available at <http://alisondb.legislature.state.al.us/acas/SESSBillsStatusResultsMac.asp?BillNumber=HB56> (last accessed July 18, 2011).
- ³⁷ Center for American Progress, *supra* note 32.
- ³⁸ U.S. Immigration and Customs Enforcement, *Secure Communities*, available at http://www.ice.gov/secure_communities/ (last accessed July 5, 2011).
- ³⁹ Colorlines, *Gov. Deval Patrick Is Latest to Buck Obama Deportation Program*, available at http://colorlines.com/archives/2011/06/mass_secure_communities.html (last accessed June 28, 2011).
- ⁴⁰ The Washington Post, *ICE reforms Secure Communities program*, available at http://www.washingtonpost.com/local/ice-reforms-secure-communities-program/2011/06/17/AGMjkaZH_story.html (last accessed July 5, 2011).
- ⁴¹ WNYC, *NY Can’t Opt Out of Fingerprint Sharing With Feds: Officials*, available at <http://www.wnyc.org/articles/wnyc-news/2011/jun/27/secure-communities/> (last accessed July 5, 2011).

⁴² The Washington Post, *supra* note 40.

⁴³ *Ibid.*

⁴⁴ National Council of La Raza, *National Copycat Landscape*, available at <http://www.nclr.org/images/uploads/pages/NATIONAL%20COPYCAT%20LANDSCAPE%2007%2001%2011%20FNL.pdf> (last accessed July 14, 2011).

⁴⁵ Colorlines, *Alabama Gov Signs One of the Nation's Harshes Anti-Immigrant Laws*, available at http://colorlines.com/archives/2011/06/alabama_immigration.html (last accessed June 21, 2011).

⁴⁶ The Christian Science Monitor, *State fights against immigration may be in vain*, available at <http://www.csmonitor.com/World/Americas/Latin-America-Monitor/2011/0628/State-fights-against-immigration-may-be-in-vain> (last accessed June 28, 2011).

⁴⁷ House Bill 56, Gen. Assem., Reg. Sess., (Alabama 2011), available at <http://alisondb.legislature.state.al.us/acas/ACASLoginMac.asp> (last accessed June 23, 2011).

⁴⁸ *Ibid.*

⁴⁹ Progressive States Network, *The Worst of 2011 in the States: 14 Dangerous Bills You May Not Have Noticed*, available at <http://www.progressivestates.org/node/29196> (last accessed July 5, 2011).

⁵⁰ Colorlines, *Judge Blocks Portions of Georgia's Harsh Immigrant Law, But Activists Push On*, available at http://colorlines.com/archives/2011/06/a_federal_judge_has_issued.html (last accessed June 28, 2011).

⁵¹ House Bill 78, 50th Gen. Assem., Reg. Sess., (New Mexico 2011), available at http://www.nmlegis.gov/lcs/_session.aspx?chamber=H&legtype=B&legno=%20%2078&year=11 (last accessed June 21, 2011), would rescind the state's policy allowing undocumented immigrants to obtain driver's licenses.

⁵² Senate Bill 815, Gen. Assem., Reg. Sess., (Connecticut 2011), available at http://www.cga.ct.gov/asp/CGABillStatus/CGABillstatus.asp?selBillType=Bill&bill_num=SB815 (last accessed June 21, 2011), would require motor vehicle operator's licenses to expire when the operator's right to lawfully be in this country expires.

⁵³ House Bill 120, Gen. Assem., Reg. Sess., (Alabama 2011), available at <http://alisondb.legislature.state.al.us/acas/ACASLoginMac.asp> (last accessed June 21, 2011), would require a law officer to detain and verify the citizenship of anyone stopped without a valid driver's license.

⁵⁴ House Bill 1292, 88th Gen. Assem., Reg. Sess., (Arkansas 2011), available at <http://www.arkansashouse.org/bill/2011R/HB1292> (last accessed June 23, 2011), sought to prohibit undocumented residents from receiving any state benefit except in instances of emergency or when life-saving measures are required.

⁵⁵ NPR, *Abortion Wars: Taking It To The States*, available at <http://www.npr.org/2011/07/02/137557268/abortion-wars-taking-it-to-the-states> (last accessed July 5, 2011).

⁵⁶ Guttmacher Institute, *States Enact Record Number of Abortion Restrictions in First Half of 2011*, available at <http://www.guttmacher.org/media/inthenews/2011/07/13/index.html> (last accessed July 14, 2011).

⁵⁷ Motherjones, *33 Anti-Abortion Laws Enacted in April*, available at <http://motherjones.com/blue-marble/2011/05/33-anti-abortion-laws-enacted-april> (last accessed June 21, 2011).

⁵⁸ In May 2011, the House of Representatives voted 251-175 to approve HR 3, the "No Taxpayer Funding for Abortion Act." HR 3 restricts abortion access for thousands of women, even when paid for with private funds and in instances where pregnancy poses a threat to a woman's health. Additionally, the legislation would impose a significant tax increase on women seeking abortions and insurance plans offering abortion services, likely prompting many health insurers to limit or drop abortion coverage. Low-income women who cannot afford to pay for abortion services out of pocket would be disproportionately affected by the bill.

⁵⁹ In February 2011, the GOP-led House of Representatives passed the Pence Amendment, which sought to bar federal funding of Planned Parenthood. The amendment, which would later fall along with HR 1 in the Senate vote in March 2011, also included cuts to other programs providing assistance to many low-income families, including the Women, Infants, and Child (WIC) Program. Additional amendments proposed defunding nine aspects of the recent health care reform bill, including Teen Pregnancy Prevention Discretionary Grants.

⁶⁰ Guttmacher Institute, *Laws Affecting Reproductive Health and Rights: Trends in the First Quarter of 2011*, available at <http://www.guttmacher.org/statecenter/updates/2011/statetrends12011.html> (last accessed July 14, 2011).

⁶¹ Guttmacher Institute, *State Center: Monthly State Update: Major Developments in 2011*, available at <http://www.guttmacher.org/statecenter/updates/index.html> (last accessed July 14, 2011).

⁶² Guttmacher Institute, *supra* note 60. Kansas' HB 2035, available at http://www.kslegislature.org/li/b2011_12/year1/measures/documents/hb2035_01_0000.pdf (last accessed June 21, 2011), requires parental consent for minors. Nebraska's LB 690, available at <http://nebraskalegislature.gov/FloorDocs/Current/PDF/Intro/LB690.pdf>, requires notarized consent.

⁶³ Guttmacher Institute, *supra* note 60.

⁶⁴ Mother Jones, *Judge Blocks South Dakota's Abortion Counseling Law*, available at <http://motherjones.com/mojo/2011/06/judge-blocks-south-dakota-abortion-counseling-law> (last accessed July 14, 2011).

⁶⁵ House Bill 1217, 86th Gen. Assem., Reg. Sess., (South Dakota 2011), available at <http://legis.state.sd.us/sessions/2011/Bills/HB1217P.pdf> (last accessed July 14, 2011).

⁶⁶ Senate Bill 1165, 61st Gen. Assem., Reg. Sess., (Idaho 2011), available at <http://www.legislature.idaho.gov/legislation/2011/S1165.pdf> (last accessed July 14, 2011).

⁶⁷ Senate Bill 72, 129th Gen. Assem., Reg. Sess., (Ohio 2011), available at <http://www.lsc.state.oh.us/fiscal/fiscalnotes/129ga/sbo072sp.pdf> (last accessed July 14, 2011).

⁶⁸ House Bill 125, 129th Gen. Assem., Reg. Sess., (Ohio 2011), available at <http://www.lsc.state.oh.us/fiscal/fiscalnotes/129ga/hbo125hr.pdf> (last accessed June 23, 2011).

⁶⁹ Reuters, *Ohio House approves abortion ban after heartbeat*, available at <http://www.reuters.com/article/2011/06/28/us-abortion-ohio-heartbeat-idUSTRE75R7NC20110628> (last accessed July 5, 2011).

⁷⁰ Guttmacher Institute, *supra* note 60.

⁷¹ The Michigan Messenger, *Republican ultrasound bill puts new restrictions on abortion*, available at <http://michiganmessenger.com/48520/republican-ultrasound-bill-puts-new-restrictions-on-abortion> (last accessed July 5, 2011).

⁷² House Bill 587, Gen. Assem., Reg. Sess., (Louisiana 2011), available at https://motherjones.com/files/labruzzo_-_hb_587.pdf (last accessed June 23, 2011).

⁷³ "An Act to provide that the use of force by a pregnant woman for the protection of her unborn child is an affirmative defense to prosecutions for certain crimes," House Bill 1171, Gen. Assem., Reg. Sess., (South Dakota 2011), available at <http://legis.state.sd.us/sessions/2011/Bill.aspx?Bill=1171> (last accessed July 14, 2011).

⁷⁴ Guttmacher Institute, *supra* note 60.

⁷⁵ National Women's Law Center, *DC Abortion Ban Moves Forward in the House*, available at <http://www.nwlc.org/our-blog/dc-abortion-ban-moves-forward-house> (last accessed July 5, 2011).

⁷⁶ Reuters, *New Hampshire Planned Parenthood stops providing birth control*, available at <http://www.reuters.com/article/2011/07/08/us-planned-parenthood-new-hampshire-idUSTRE7675Z820110708> (last accessed July 14, 2011).

⁷⁷ Guttmacher Institute, *supra* note 60.

⁷⁸ Colorlines, *Indiana Can't Defund Planned Parenthood, Says Federal Judge*, available at http://colorlines.com/archives/2011/06/judge_blocks_indiana_from_defunding_planned_parenthood.html (last accessed July 5, 2011).

⁷⁹ Mother Jones, *Kansas Judge Blocks Abortion Clinic Regs*, available at <http://motherjones.com/mojo/2011/07/kansas-judge-blocks-abortion-clinic-regs> (last accessed July 5, 2011).

⁸⁰ Think Progress, *Arizona Anti-Abortion Laws Will Effectively Prohibit Abortions In Three Cities*, available at <http://thinkprogress.org/health/2011/07/07/262874/arizona-laws-prohibit-abortions/> (last accessed July 14, 2011).

⁸¹ Politico, *Planned Parenthood juggles multiple lawsuits*, available at <http://www.politico.com/news/stories/0611/58004.html> (last accessed July 14, 2011).

⁸² The News & Observer, *Planned Parenthood sues state*, available at <http://www.newsobserver.com/2011/07/08/1328946/planned-parenthood-sues-state.html> (last accessed July 14, 2011).