

Case Study: Georgia’s Heartbeat Bill

For this assignment, students are assigned to write either a political strategy memo (not to exceed three pages) or an editorial (not to exceed 600 words) from the perspective of one of the case actors below.

A number of states, including Alabama, Georgia, Missouri, and Ohio have passed or attempted to pass sweeping new abortion legislation in 2019. The legislation that came to a vote in Georgia was a “heartbeat bill”—HB 481 would outlaw abortion after a fetal heartbeat could be detected, which medical professionals estimate is possible at six weeks, earlier than many women learn of their pregnancy. Governor Brian Kemp (R) pledged during his campaign to support the measure if passed by the legislature.

HB 481, and laws like it in other states, are widely understood to have implications reaching beyond state lines. By stretching the limits of what is possible under *Roe v. Wade* (and other reproductive health precedents)—and by inciting pro-choice advocates to file lawsuits—these state laws serve as potential constitutional challenges to *Roe*, which have the potential to alter the legal landscape of abortion nationwide.

It is believed that the architects of the Georgia bill had such a constitutional challenge in mind when introducing the legislation. The composition of the Supreme Court, with two justices appointed by President Donald J. Trump having moved the court rightward, may be more receptive to revisiting *Roe* and other precedents than it has been in the recent past. Heartbeat laws, like the one considered in Georgia, have never been reviewed by the Supreme Court before.

Memos and op-eds should be written as if the date is **February 27, 2019** – before the first vote on the legislation; assume that you know the initial House vote will occur on March 7, 2019. The memo should be targeted to affect the outcome of the Georgia House vote and should briefly offer considerations related to longer-term strategies, given your stakeholder’s preferred outcome for *Roe*.

Key Player(s)	Background
Governor Brian Kemp (R)	First-term governor of Georgia, promised during his campaign to sign a heartbeat bill into law, supports HB 481.
President of the Family Policy Alliance of Georgia	Cole Muzio heads a Christian organization that is a public policy partner of the national group Focus on the Family; the group supports HB 481.
Rep. Park Cannon (D-Atlanta)	Democratic state representative who was one of two lawmakers who testified about her own abortion experience while the bill was under consideration in the House. Opposes HB 481.
President of the Medical Association of Georgia	Rutledge Forney leads this state association, which has over 8,000 members. Opposes HB 481.
CEO and President of Planned Parenthood Southeast	Staci Fox leads this Planned Parenthood affiliate, which oversees Planned Parenthood clinics in Georgia, Alabama, and Mississippi. Opposes HB 481.

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Assigned Readings:

Vaida B. "[Abortion: Can opponents of the procedure maintain their momentum?](#)" *CQ Researcher*. July 13, 2018.

Thomson-Deveaux A. "[Here's Why the Anti-Abortion Movement is Escalating.](#)" *FiveThirtyEight*, May 21, 2019.

Dias E and Lerer L. "[How a Divided Left Is Losing the Battle on Abortion.](#)" *The New York Times*, December 4, 2019.

Jimison R. "[Republican Lawmakers In Georgia Aim For Most Restrictive Abortion Law in The Country.](#)" Georgia Public Broadcasting. February 27, 2019.

Andres P. "[Georgia House panel approves anti-abortion 'heartbeat' bill.](#)" *Associated Press*. March 7, 2019.

Interactive: "[Poll of Georgia voters, April 2019.](#)" *Atlanta Journal-Constitution*/School of Public and International Affairs Survey Research Center at the University of Georgia. April 2019.

Optional Readings:

Rymann A and Wynn M. "[For anti-abortion activists, success of 'heartbeat' bills was 10 years in the making.](#)" *The Arizona Republic*. June 20, 2019.

Prabhu MT. "[Georgia Senate passes anti-abortion 'heartbeat' bill.](#)" *Atlanta Journal-Constitution*. March 22, 2019.

Prabhu MT. "[Hearing on Georgia 'heartbeat' abortion bill draws emotional crowd.](#)" *Atlanta Journal-Constitution*. March 14, 2019.

Prabhu MT. "[AJC poll: Strong support for Roe; opinion closer on 'heartbeat bill'.](#)" *Atlanta Journal-Constitution*. April 11, 2019.

Corbin CM. "[A Very Short Abortion Law Primer.](#)" American Constitution Society. July 12, 2018.