

Testimony Opposing HB0049
Health - Abortion - Abortion (Heartbeat Bill)
UNFAVORABLE

March 17, 2026

Delegate Heather Bagnall, Chair; Delegate Bonnie Cullison, Vice Chair; and esteemed members of the House Health Committee:

I am writing to express my opposition to House Bill 49, which repeals Maryland’s laws protecting reproduction freedom and abridges rights of individuals accessing abortion care, which is legal and protected by the Maryland Constitution. The law, which became effective on January 17, 2025, provides “[t]hat every person, as a central component of an individual's rights to liberty and equality, has the fundamental right to reproductive freedom, including but not limited to the ability to make and effectuate decisions to prevent, continue, or end one's own pregnancy. The State may not, directly or indirectly, deny, burden, or abridge the right unless justified by a compelling State interest achieved by the least restrictive means.” MD Constitution, Declaration of Rights, Art. 48. Prior to that, in 2023, the Maryland General Assembly took action to protect those seeking abortion care against intimidation in exercising their reproductive rights and bodily autonomy by passing shielding legislation.

HB0049 would reverse these protections by essentially banning abortion after six weeks of pregnancy, prohibiting abortions once a physician detects a fetal heartbeat. This ban would be enforced through intimidation by allowing any individual to file a civil action and seek thousands of dollars in damages against anyone “who aides, abets, or intends to aide or abet the performance or induction of a prohibited abortion.” This provision puts health care providers, friends and family of the patient, and any person, including a ride sharing driver, at risk for supporting an individual seeking abortion care.

Marylanders should be able to make medical decisions about abortion without fear and intimidation. In 2024, more than 75 percent of Maryland voters expressed their belief that abortion should be protected in the state constitution. HB0049 is contrary to the will of the overwhelming majority of Marylanders and should be rejected.

For these reasons, I urge the Committee to return an unfavorable report on HB0049.

Respectfully Submitted,
Melinda Littell
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