

## 2025 – 2026 Legislative Memorandum

**Subject: Providing Practical Support to Access Abortion Care  
S.135 (Cleare) / A.2137 (González-Rojas)**

**Position: SUPPORT**

---

Abortion is essential health care that one in four women will access in her lifetime.<sup>1</sup> Yet even before the Supreme Court overturned *Roe v. Wade*, ending the federal constitutional right to abortion, logistical barriers severely limited abortion accessibility in New York and nationwide. While the Reproductive Health Act of 2019 created a legal framework for the provision of care in New York, that framework is meaningless without the ability to access abortion care.

Since the *Dobbs* decision eliminated the federal constitutional right to abortion, New York State has taken steps to make abortion access a reality for more people who need it through new grant funding to abortion providers<sup>2</sup> and, importantly, by enacting the Reproductive Freedom and Equity Program in the FY2025 state budget.<sup>3</sup> But, abortion remains out of reach for many New Yorkers because they cannot afford the cost of travel, lodging, childcare, and other expenses associated with accessing care.<sup>4</sup>

**S.135 (Cleare) / A.2137 (González-Rojas)** would expand the Reproductive Freedom and Equity Program to permit state funding to be used for logistical support for abortion care. The NYCLU strongly supports the bill and urges its immediate passage.

---

<sup>1</sup> *Abortion Is a Common Experience for U.S. Women, Despite Dramatic Declines in Rates*, GUTTMACHER INSTITUTE (October 19, 2017), <https://www.guttmacher.org/news-release/2017/abortion-common-experience-us-women-despite-dramatic-declines-rates>. Though this study focused on women, individuals of all gender identities, including transgender men and nonbinary people, also experience pregnancy and may also need abortion care.

<sup>2</sup> See Press Release, Governor Kathy Hochul, Governor Hochul Announces Nation-leading \$35 Million Investment to Support Abortion Providers in New York (May 10, 2022) (<https://www.governor.ny.gov/news/governor-hochul-announces-nation-leading-35-million-investment-support-abortion-providers-new>); Press Release, Governor Kathy Hochul, Governor Hochul Announces \$13.4 Million Awarded in the Second Round of Abortion Provider Support Fund (Oct. 12, 2022) (<https://www.governor.ny.gov/news/governor-hochul-announces-134-million-awarded-second-round-abortion-provider-support-fund>).

<sup>3</sup> N.Y. Public Health Law 2599-bb-1.

<sup>4</sup> Testimony of Planned Parenthood Empire State Acts Submitted to the Joint Legislative Budget Hearing on Health and Medicaid (January 24, 2024).

In 2024, the NYCLU worked with students in Columbia Law School’s Sexuality and Gender Law Practicum to interview abortion providers about the efficacy of existing state funding streams for abortion. While providers emphasized how critical state funding is to enable them to continue to provide – and in some cases expand access to – care, they articulated logistical support for patients as a top unmet need.

Logistical support covers critical patient needs that enable them to access care, such as bus tickets, childcare, and lodging. It also covers services like UberHealth to ensure that patients who do not have an escort are able to safely travel home after a procedure that required sedation.

The vast majority of logistical support resources will be spent in New York and on New Yorkers. Many New Yorkers, particularly those in rural areas or upstate New York, must travel significant distances to access abortion care. 37% of New York’s counties do not have an abortion clinic,<sup>5</sup> and even in counties with an abortion provider, that provider may not offer certain types of specialized care, forcing some people to travel based on the circumstances of their pregnancy. In addition, while there has been an increase in abortions provided in New York since the Supreme Court overruled *Roe*, travel from out of state accounted for only 5% of the increase between 2020 and 2023.<sup>6</sup> The rest of the increase reflects an increase in New Yorkers accessing care within the state.

No New Yorker should be denied abortion care because they cannot afford the travel, childcare, or other logistical expenses associated with accessing care. By expanding the Reproductive Freedom and Equity Program to cover logistical support, New York will join fellow access states like California, Oregon, Illinois, Connecticut, and Vermont as well as municipalities like New York City and Ithaca, to address persistent barriers to abortion care by investing public dollars not only in abortion providers and abortion funds, but also in logistical support funds.<sup>7</sup>

The NYCLU strongly supports S.135/A.2137 and urges lawmakers to cement New York’s role as a leader in abortion access by expediently passing it.

---

<sup>5</sup> Rachel Jones et. al, *Abortion incidence and service availability in the United States, 2020*, GUTTMACHER INSTITUTE (December 2022), <https://onlinelibrary.wiley.com/doi/epdf/10.1363/psrh.12215>.

<sup>6</sup> Kimya Forouzan, Amy Friedrich-Karnik, and Isaac Madow-Zimet, *The High Toll of US Abortion Bans: Nearly One in Five Patients Now Traveling Out of State for Abortion Care*, GUTTMACHER INSTITUTE (December 7, 2023), <https://www.guttmacher.org/2023/12/high-toll-us-abortion-bans-nearly-one-five-patients-now-traveling-out-state-abortion-care>; see also *Monthly Abortion Provision Study*, GUTTMACHER INSTITUTE, <https://www.guttmacher.org/monthly-abortion-provision-study> (estimating that from January – June 2023, only 5% of abortions provided within the formal health care system in New York were to patients traveling from out of state).

<sup>7</sup> *Building Support for Abortion Coverage Through Municipal Resolutions: Policy Win*, NATIONAL INSTITUTE FOR REPRODUCTIVE HEALTH (2022), <https://nirhealth.org/our-impact/building-support-for-abortion-coverage-through-municipal-resolutions/>.