

§ 90-21.121. Eugenic abortions prohibited.

(a) Notwithstanding any of the provisions of G.S. 90-21.81B, no person shall perform or attempt to perform an abortion upon a pregnant woman if the person has knowledge that the pregnant woman is seeking the abortion, in whole or in part, because of any of the following:

- (1) The actual or presumed race or racial makeup of the unborn child.
- (2) The sex of the unborn child.
- (3) The presence or presumed presence of Down syndrome.

(b) Nothing in this section shall be construed as placing an affirmative duty on a physician to inquire as to whether the sex of the unborn child is a significant factor in the pregnant woman seeking the abortion. (2013-366, s. 3(a); 2023-14, s. 1.4(b).)