

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. OF 2022**

**A LOCAL LAW REPEALING CHAPTER 41A OF THE TOWN CODE  
ENTITLED “PREGNANCY TERMINATION FACILITIES”**

**BE IT ENACTED** by the Town Board of the Town of North Hempstead, as follows:

**Section 1. Legislative Intent.**

Chapter 41A of the Town Code entitled “Pregnancy Termination Facilities” purports to regulate the locations at which an abortion may be performed within the Town of North Hempstead and provides for enforcement of its provisions and penalties for violations. Chapter 41A was adopted in 1971, prior to the U.S. Supreme Court’s decision in Roe v. Wade. Notwithstanding the Court’s 1973 decision, Chapter 41A was likely, and continues to be, unenforceable as it purports to regulate the medical profession, an area of regulation preempted by the New York Public Health Law and the New York Education Law. However, in light of the U.S. Supreme Court’s 2022 decision in Dobbs v. Jackson Women’s Health Organization overturning Roe v. Wade, the continued existence of Chapter 41A, though unenforceable, is confusing and misleading as to New York State and the Town of North Hempstead. Therefore, the Town Board finds it in the best interests of the Town and its residents to repeal Chapter 41A of the Town Code entitled “Pregnancy Termination Facilities.”

**Section 2.**

Chapter 41A of the Town Code of the Town of North Hempstead is hereby REPEALED.

**Section 3.**

This Local Law shall take effect immediately upon filing with the Secretary of State.