



Fact Sheet on SB 1909 Deceptive Practices of Limited Services Pregnancy Centers Act

Pregnancy centers offer important services to low-income, vulnerable, and marginalized women across Illinois. They are generally small community or church-affiliated groups that provide services at no-cost and are funded entirely by private donations.

What is a Pregnancy Help Center

- Services vary among pregnancy centers, but could include pregnancy tests and ultrasound exams, confidential consultations, medical and community referrals, and support programs, such as mentoring, pregnancy and parenting classes, moms-to-be groups, and men's support.
- In fact, a recently published study found that pregnancy centers were more likely than abortion facilities to provide same-day appointments and free pregnancy testing. ("Early pregnancy confirmation availability at crisis pregnancy centers and abortion facilities in the United States," *Contraception*, January 2023)
- Some pregnancy centers also have maternity homes where mothers and their children can live for sometimes up to two years free of charge while also receiving services, such as job training and employment assistance, nutritious food, maternity and infant supplies, assistance with transportation, life skills training, and educational support.

Objections to SB 1909

- SB 1909 target the services provided by pregnancy help centers and sidewalk counselors by making them civilly liable for engaging in "deceptive acts or practice" for any concealment, suppression, or omission of a "material fact."
- The language of the bill is overly broad. There is no guidance as to what is a "material fact." This could lead to an unlimited interpretation that would force pregnancy help centers to inform a pregnant woman about how to obtain an abortion.
- There have been no facts cited to support the assertion that pregnancy centers in Illinois have ever engaged in "deceptive, fraudulent, and misleading practices." There have been no attempts to address the alleged "deceptive, fraudulent, and misleading practices" prior to the introduction of this bill. Illinois already has a law that prohibits claims of unfair and deceptive practices: the Consumer Fraud and Deceptive Business Practices Act (CFDBPA), which does not single out the speech of certain types of entities; it applies to pregnancy centers (as well as entities that perform abortions).

U.S. Supreme Court Precedent is on the Side of the Pregnancy Help Centers

- The US Supreme Court, in *NIFLA v. Becerra*, found that a California law requiring that crisis pregnancy centers make certain disclosures, including informing people about the availability of free, state-sponsored programs to provide abortion, is a violation of the First Amendment of the US Constitution. The law targeted speakers (the pregnancy centers), not the speech.