

# New bill would end death penalty in Ohio, but include state-funded abortion ban

*Ohio lawmakers plan to introduce a bill that would end the death penalty and prohibit state funding for abortions and assisted suicide*

By **Haley BeMiller**  
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Ohio lawmakers who want to end the death penalty are testing a new strategy: Pairing their proposal with a ban on taxpayer-funded abortions.

A group of Republicans and Democrats plan to introduce legislation that would eliminate capital punishment and prohibit state funding for abortions and assisted suicide. The measure is the latest in a string of attempts to stop executions, which have been on hold since Gov. Mike DeWine took office in 2019.

Assisted suicide is already illegal in Ohio, and state and local money can't be used to cover abortion services. But Rep. Jean Schmidt, R-Loveland, contends the abortion rights amendment approved by voters in 2023 could throw a wrench in that law.

"Abortion, the death penalty and assisted suicide all undermine the commitment to human dignity," Schmidt said during a news conference Tuesday. "To be consistent with our pro-life principles, we must oppose all three."

Ohio hasn't executed anyone on death row since 2018 due to a lack of access to lethal injection drugs. DeWine co-sponsored the state's death penalty law as a legislator, but he's questioned in recent years whether it's an effective deterrent for crime.

"We've not had any executions since I've been governor," DeWine told reporters last month. "We will not as long as I'm governor. More to come on that in the next few months."

## **Plan criticized by abortion advocates, backers of death penalty**

Opponents of the death penalty know it's only a matter of time before a term-limited DeWine is no longer governor. Senate Minority Leader Nickie Antonio, D-Lakewood, said President Donald Trump created even more urgency last week when he signed an executive order to restart federal executions and ensure states can get lethal injection drugs.

And there are plenty of other Republicans who want to keep the death penalty intact. Rep. Brian Stewart, R-Ashville, is reintroducing a bill from last year that would allow the state to use nitrogen gas to asphyxiate people to death. The measure is backed by Attorney General Dave Yost, who is running for governor in 2026.

"It's been Republican Party policy that we don't fund abortion for 50 years, and that's not going to change," Stewart said. "We certainly don't have to throw in the towel on another policy priority just to reaffirm what we already believe. Points for creativity, I guess."

Abortion rights advocates – including those who oppose the death penalty – were quick to condemn the proposal, which hasn't been formally introduced yet. Freda Levenson, legal director for the American Civil Liberties Union of Ohio, said it's discriminatory and therefore unconstitutional for the state to provide funding for pregnancies while neglecting abortion services.

"Our elected officials should heed the will of the people," Levenson told the statehouse bureau. "If they want to abolish capital punishment – which they should – they should do it in a clean way."

It's unclear whether Democrats in the Ohio House will support the legislation. House Minority Leader Allison Russo, D-Upper Arlington, said they'll review the bill but oppose anything that "undermines access to reproductive choice and freedom."

While the plan unveiled Tuesday represents a bipartisan compromise, Antonio said abortion access remains a key priority for Senate Democrats.

"We may use different language to explain where we stand on the spectrum of our beliefs, but we agree that there is a moral imperative to end the use of the death penalty in the state of Ohio," Antonio said. "I can assure you, as a progressive Democrat, I understand that nothing in the language in our legislation ... takes away from the constitutional right of every Ohioan to access abortion and reproductive rights."