

SB 13 Reproductive Health Provider Protections

Discriminatory Rights Given to Reproductive and Gender-Affirming Service Providers – see bill description.

Shielding Abortion and Transgender Service Providers

This bill shelters all providers of reproductive procedures with an absolute cone of protection from civil, criminal, medical malpractice, or professional conduct censorship.

This protection is not extended to other medical providers, thus discriminates in favor of those offering reproductive services.

Section 2. DEFINITIONS. – As used in the Reproductive and Gender-Affirming Health Care Protection Act:

- A. *“Gender-affirming health care” means psychological, behavioral, surgical, pharmaceutical, and medical care, services and supplies provided to support an individual’s gender identity.*
- B. *“Protected health care activity” means:*
 - 1. *Seeking, providing, or receiving reproductive or gender-affirming health care or*
 - 2. *Assisting an individual who is seeking, receiving, or providing reproductive or gender-affirming health care, including providing:*
 - a. *Information*
 - b. *Transportation*
 - c. *Lodging*
 - d. *Material support*
- C. *“Public body” means...school districts and institutions of higher education.*
- D. *“Reproductive health care” means psychological, behavioral, surgical, pharmaceutical, and medical care, services and supplies that relate to the human reproductive system including...*
 - 1. *Preventing a pregnancy*
 - 2. *Abortion...*

1st Amendment Rights (Freedom of Speech) Violated

This bill allows for a \$10,000 fine against those who use digital means to discuss alternative treatment options. As an example, in the case of abortion, anyone who discusses Baby Boxes, adoption, or safe houses for mothers can safely give birth would be fined in violation of this law.

Section 6. A. For purposes of this section, “third party” means an individual or entity who transmits information related to a protected health care activity...in an electronic format.

*Section 6. B. It shall be a violation of the Reproductive and Gender-Affirming Health Care Protection Act to request from a third party, or for a third party to transmit, information **related to an individual’s or entity’s protected health care activity with***

the intent to: (Section 6. B. 6.) deter, prevent, sanction, or penalize...an individual or entity for engaging in a protected health care activity.

While “in an electronic format” is not defined, we believe this to be the common understanding of anything digital including: websites, blog posts, social media posts, videos, texts, emails, etc.

How Will They Prosecute?

Section 7. ENFORCEMENT–PENALTIES. –

- A. ***The attorney general or district attorney is authorized to enforce the provisions of the Reproductive and Gender-Affirming Health Care Protection Act.***
- B. ***...The court may also assess a civil penalty for a violation of the Reproductive and Gender-Affirming Health Care Protection Act in the amount of ten thousand dollars (\$10,000) or actual damages resulting from each violation, whichever is greater.***
- C. ***An individual or entity claiming to be aggrieved by a violation of the Reproductive and Gender-Affirming Health Care Protection Act may file an action ...for the sum of ...(\$10,000) per violation, whichever is greater.***

See how your [Representatives](#) and [Senators](#) voted on these laws, and read them for yourself to see what we're fighting.