

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2023-2024 Regular Session**

SR 9 (Skinner and Atkins)  
Version: January 9, 2023  
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Fiscal: No  
Urgency: No  
AM

**SUBJECT**

Reproductive Health

**DIGEST**

This resolution marks the 50<sup>th</sup> anniversary of the U. S. Supreme Court's decision in the case *Roe v. Wade* (1973) 410 U.S. 113, which established a person's right under the federal constitution to choose whether or not to carry a pregnancy to term. The resolution also recognizes that in the immediate aftermath of the U. S. Supreme Court's devastating decision in *Dobbs v. Jackson Women's Health Organization* ((2022) 597 U.S. \_\_\_\_), which overturned *Roe* by a vote of 6-3, there is nothing prohibiting patients and providers of sexual and reproductive health care from being criminalized for receiving or providing essential health care services, including abortion, in other states and therefore, urges the President of the United States and the United States Congress to enact federal legislation that guarantees the right to reproductive freedom.

**EXECUTIVE SUMMARY**

Since the 1973 holding in *Roe v. Wade*, the U.S. Supreme Court has continuously held that it is a constitutional right to access abortion before fetal viability. However, on June 24, 2022 the Court voted 6-3 to overturn the holding in *Roe* and found that there is no federal constitutional right to an abortion. This resolution highlights that, as a result of the *Dobbs* decision, people in roughly half the country may lose access to abortion services or have them severely restricted. Though California has enacted numerous laws to protect the fundamental right to reproductive freedom, without the federal protections afforded under *Roe* there is nothing prohibiting patients and providers of sexual and reproductive health care from being criminalized for receiving or providing essential health care services, including abortion, in other states. The resolution is author sponsored. The resolution is supported by ACCESS Reproductive Justice, the American Nurses Association/California, Black Women for Wellness Action Project, California Nurses Midwives Association, NARAL ProChoice California, Planned Parenthood Affiliates of California and The Women's Building. The resolution is opposed by the California Family Council and the Right to Life League.

## PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Prohibits the state from denying or interfering with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives. Specifies that this provision is intended to further the constitutional right to privacy guaranteed by Section 1 of Article I of the California Constitution, and the constitutional right to not be denied equal protection guaranteed by Section 7 of Article I of the California Constitution, and that nothing herein narrows or limits the right to privacy or equal protection. (Cal. Const., art. I, § 1.1.)
- 2) Provides that all people are by nature free and independent and have inalienable rights including, among others, the right to privacy. (Cal. Const., art. I, § 1.)
- 3) Provides that a person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws. (Cal. Const., art. I, § 7.)
- 4) Holds that the state constitution's express right to privacy extends to an individual's decision about whether or not to have an abortion. (*People v. Belous* (1969) 71 Cal.2d 954.)
- 5) Establishes the Reproductive Privacy Act and provides that the Legislature finds and declares that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions, which entails the right to make and effectuate decisions about all matters relating to pregnancy, including prenatal care, childbirth, postpartum care, contraception, sterilization, abortion care, miscarriage management, and infertility care. (Health & Saf. Code § 123460 et. seq., § 123462.)
- 6) Establishes a web page for centralized information on services and support for those seeking abortion care, and a fund that enables private and public sources to support the work of abortion providers and other community-based organizations that secure practical support and other needs for patients and providers. (Health & Saf. Code § 123430 & 123452.5.)
- 7) Prohibits the enforcement in this state of out-of-state laws authorizing a civil action against a person or entity that receives or seeks, performs or induces, or aids or abets the performance of an abortion, or who attempts or intends to engage in those actions, and declares those out-of-state laws to be contrary to the public policy of this state. (Health & Saf. Code § 123467.5.)
- 8) Prohibits compelling a person to identify or provide information that would identify an individual who has sought or obtained an abortion in a state, county, city, or other local criminal, administrative, legislative, or other proceeding if the

information is being requested based on another state's laws that interfere with a person's right to choose or obtain an abortion or a foreign penal civil action. (Health & Saf. Code § 123466.)

- 9) Authorizes a party aggrieved by a violation of the Reproductive Privacy Act to bring a civil action against an offending state actor, as specified. ((Health & Saf. Code § 123469.)

This resolution:

1) Declares that:

- a) January 22, 2023 is the 50<sup>th</sup> anniversary of *Roe v. Wade*, the U. S. Supreme Court's landmark decision that affirmed the fundamental right to control reproductive decisions and decide whether to continue a pregnancy or obtain an abortion, which is an occasion deserving of acknowledgement;
- b) *Roe* was overturned by a 6-3 vote of the U. S. Supreme Court in *Dobbs v. Jackson Women's Health Organization* (2022) 597 U.S. \_\_\_\_ on June 24, 2022;
- c) *Roe* had been the cornerstone of one's ability to control their reproductive lives, and affirmed the right of anyone who could become pregnant in the United States to decide when and if to have children;
- d) abortion is a safe and common medical procedure and nearly one in four women in the United States will have an abortion by 45 years of age;
- e) the Turnaway Study shows that denying people abortion creates economic hardship and insecurity that lasts for years and negatively impacts those people and their children;
- f) maternal death rates are 62 percent higher and perinatal death rates are 15 percent higher in states where abortion is restricted than in states with access to abortion, and abortion bans disproportionately harm youth, people with low incomes, and communities of color;
- g) as a result of the *Dobbs* decision repealing *Roe*, 13 states have total abortion bans in effect and almost one-third of women and people who can become pregnant of reproductive age in the United States live in a state where abortion is not legal or is severely restricted;
- h) with *Roe* overturned, it is likely that abortion will be banned or severely restricted in 26 states, affecting more than 36 million women and even more people who can become pregnant;
- i) without the protections under *Roe*, there are no federal protections for patients and providers of sexual and reproductive health care from being criminalized for receiving or providing essential health care services;
- j) the State of California stands in strong support of every individual's fundamental right to choose whether to continue a pregnancy;
- k) four years before *Roe* was decided, our state Supreme Court held that Californians have the fundamental constitutional right to procreative choice,

- a right that follows our state's recognition of the right to privacy in matters relating to marriage, family, and sex, in *People v. Belous* (1969) 71 Cal. 2d 954;
- l) the California Supreme Court recognized that while, at the time, there was no enumerated privacy right in either the state or federal constitution, the right to privacy was indisputably a fundamental right;
  - m) to further lay the groundwork to protect that right, California voters in 1972, one year before the *Roe* decision, passed a state constitutional amendment to explicitly provide for the constitutional right to privacy;
  - n) in the immediate aftermath of the U. S. Supreme Court's devastating decision in *Dobbs*, the Legislature passed and the Governor signed a comprehensive package of legislation expanding, protecting, and strengthening access to reproductive health care, including abortions, for all Californians and people seeking such care in our state;
  - o) the Legislature passed Senate Constitutional Amendment 10 to put Proposition 1 on the November 2022 ballot; and
  - p) California voters overwhelmingly supported Proposition 1 and enacted a state constitutional right to prohibit the state from interfering with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives.
- 2) Urges the President of the United States and the United States Congress to enact federal legislation that guarantees the right to reproductive freedom, including abortion and contraception.

### COMMENTS

1. Until June 2022, access to abortion had been a federal constitutional right since 1973

*Roe v. Wade* was the landmark U.S. Supreme Court decision that held the implied constitutional right to privacy extended to a person's decision whether to terminate a pregnancy, while allowing that some state regulation of abortion access could be permissible. ((1973) 410 U.S. 113.) The plaintiff in the case was "Jane Roe," an unmarried woman who wanted to end her pregnancy under safe and clinical conditions but was unable to obtain a legal abortion in Texas because her life was not threatened by the continuation of the pregnancy. Unable to afford travel to another state to obtain an abortion, she challenged the statute making it a crime to perform an abortion unless a woman's life was at stake. She also claimed that the Texas law abridged her right of personal privacy.

The Court struck down the Texas law, finding for the first time that the constitutional right to privacy under the Due Process Clause of the Fourteenth Amendment is "broad enough to encompass a woman's decision whether or not to terminate her pregnancy." At the same time, the high court also defined two compelling state interests that would

satisfy restrictions on a person's right to choose to terminate a pregnancy: 1) states may regulate the abortion procedure after the first trimester of pregnancy in ways necessary to promote a woman's health; and 2) after the point of fetal viability outside of the womb, a state may, to protect the potential life of the fetus, prohibit abortions that are not necessary to preserve a person's life or health. In *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992) 505 U.S. 833, the Court reaffirmed the basic holding of *Roe*, yet also permitted states to impose restrictions on abortion as long as those restrictions do not create an undue burden on a person's right to choose to terminate a pregnancy.

*Roe* has been one of the most debated U.S. Supreme Court decisions and its application and validity have been challenged numerous times, but its fundamental holding had continuously been upheld by the Court until June 2022. On June 24, 2022 the Court published its official opinion in *Dobbs* and voted 6-3 to overturn the holding in *Roe*.<sup>1</sup> The case involved a Mississippi law enacted in 2018 that banned most abortions after the first 15 weeks of pregnancy, which is before what is generally accepted as the period of viability. (see Miss. Code Ann. §41-41-191.) The majority opinion upholds the Mississippi law finding that, contrary to almost 50 years of precedent, there is no fundamental constitutional right to have an abortion. The opinion further provides that states should be allowed to decide how to regulate abortion and that a strong presumption of validity should be afforded to those state laws.<sup>2</sup>

## 2. Post-Dobbs access to reproductive healthcare is being restricted across the nation

Abortion is a safe<sup>3</sup> and common medical procedure with nearly one in four women in the United States will have an abortion by 45 years of age.<sup>4</sup> The Turnaway Study, a prospective longitudinal study examining the effects of unwanted pregnancy on women's lives, found that many common claims regarding the detrimental effects getting an abortion can have on a person's health are not supported by evidence, and further found that there are serious consequences of being denied a wanted abortion, including economic hardship and insecurity that can last for years and negatively impact those individuals and their children.<sup>5</sup> A report by The Commonwealth Fund found that maternal death rates are 62 percent higher and perinatal death rates are 15 percent higher in states where abortion is restricted than in states with access to abortion.<sup>6</sup>

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<sup>1</sup> *Dobbs v. Jackson Women's Health* (2022) 597 U.S. \_ (141 S.Ct. 2619) at p. 5, available at [https://www.supremecourt.gov/opinions/21pdf/19-1392\\_6j37.pdf](https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf).

<sup>2</sup> *Id.* at 77.

<sup>3</sup> See Nat. Academies of Science, Engineering, and Medicine (2018), *The Safety and Quality of Abortion Care in the United States* (2018), available at <https://doi.org/10.17226/24950>.

<sup>4</sup> *Ibid.*

<sup>5</sup> Diana Green Foster, PhD, *The Turnaway Study: Ten Years, a Thousand Women, and the Consequences of Having – or Being Denied – an Abortion*.

<sup>6</sup> Eugene Declerq, et. al, *The U.S. Maternal Health Divide: The Limited Maternal Health Services and Worse Outcomes of States Proposing New Abortion Restrictions*, The Commonwealth Fund. Dec. 14, 2022, available

The *Roe* decision was the foundation for allowing people the ability to control their reproductive lives because it established a federal constitutional right for anyone who could become pregnant in the United States to decide when and if to have children and prevented the criminalization of having an abortion or providing an abortion. Prior to *Roe* legal abortion did exist in some states in the nation, but the choices available to those seeking to terminate an unwanted pregnancy were limited and disproportionately affected those who were younger, lower income, and members of communities of color.<sup>7</sup> It is estimated that the number of illegal abortions in the 1950s and 1860s ranged from 200,000 to 1.2 million.<sup>8</sup> In 1965 illegal abortion accounted for 17 percent of all deaths attributed to pregnancy and childbirth – and this was only the officially reported deaths meaning the actual number was probably higher.<sup>9</sup> The Centers for Disease Control and Prevention estimates that 130,000 women obtained illegal or self-induced procedures in 1972 – 39 of whom died.<sup>10</sup> The mortality rate due to illegal abortion for nonwhite women was 12 times that for white women from 1972 to 1974.<sup>11</sup>

In the wake of the *Dobbs* decision it is very probable that abortion will be banned or severely restricted in 24 states,<sup>12</sup> with 13 states already having total abortion bans in effect.<sup>13</sup> Almost one-third of women and people who can become pregnant of reproductive age in the United States live in a state where abortion is not legal or is severely restricted.<sup>14</sup> If all the states expected to enact a total ban on abortion actually do, the number of patients who would find that their nearest clinic is in California could increase to 1.4 million an almost 3,000 percent increase.<sup>15</sup> As history shows, the effects of these abortion bans will disproportionately harm young persons, people with low

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at <https://www.commonwealthfund.org/publications/issue-briefs/2022/dec/us-maternal-health-divide-limited-services-worse-outcomes>.

<sup>7</sup> Rachel Benson Gold, *Lessons from Before Roe: Will Past be Prologue*, Guttmacher Institute (Mar. 1, 2003), available at <https://www.guttmacher.org/gpr/2003/03/lessons-roe-will-past-be-prologue>.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> Elizabeth Nash and Isabel Guarnieri, *Six Months Post-Roe, 24 US States Have Banned Abortion or Are Likely to Do So: A Roundup*, Guttmacher Institute (Jan. 10, 2023), available at <https://www.guttmacher.org/2023/01/six-months-post-roe-24-us-states-have-banned-abortion-or-are-likely-to-do-so-roundup>.

<sup>13</sup> Sharon Bernstein, *Factbox: US. abortion restrictions mount after overturn of Roe v. Wade*, Reuters, (Oct. 4, 2022), available at <https://www.reuters.com/business/healthcare-pharmaceuticals/us-abortion-restrictions-mount-after-overturn-roe-v-wade-2022-10-04/#:~:text=ACTIVE%20BANS,an%20abortion%20rights%20research%20group>.

<sup>14</sup> Katie Shepherd, Rachel Roubein, and Caroline Kitchner, *1 in 3 American women have already lost abortion access. More restrictive laws are coming*, The Washington Post, (Aug. 22, 2022).

<sup>15</sup> April Dembosky, *As states ban abortion, Californians open their arms and wallets*, NPR (June 27, 2022), available at <https://www.npr.org/sections/health-shots/2022/06/27/1103479722/as-states-ban-abortion-californians-open-their-arms-and-wallets>.

incomes, and communities of color and could very likely lead to an increase in the death due to illegal or self-induced abortion.<sup>16</sup>

### 3. California is a Reproductive Freedom State

The California Supreme Court held in 1969 that the state constitution's implied right to privacy extends to an individual's decision about whether or not to have an abortion. (*People v. Belous* (1969) 71 Cal.2d 954.) This was the first time an individual's right to abortion was upheld in a court. In 1972 the California voters passed a constitutional amendment that explicitly provided for the right to privacy in the state constitution. (Prop. 11, Nov. 7, 1972 gen. elec.) California statutory law provides, under the Reproductive Privacy Act, that the Legislature finds and declares every individual possesses a fundamental right of privacy with respect to personal reproductive decisions, which entails the right to make and effectuate decisions about all matters relating to pregnancy; therefore, it is the public policy of the State of California that every individual has the fundamental right to choose or refuse birth control, and every individual has the fundamental right to choose to bear a child or to choose to obtain an abortion. (Health & Saf. Code § 123462.) In 2019 Governor Newsom issued a proclamation reaffirming California's commitment to making reproductive freedom a fundamental right in response to the numerous attacks on reproductive rights across the nation.<sup>17</sup> In September 2021, more than 40 organizations came together to form the California Future Abortion Council (CA FAB) to identify barriers to accessing abortion services and to recommend policy proposals to support equitable and affordable access for not only Californians but all who seek care in the state.

In response to the *Dobbs* decision, California enacted a comprehensive package of legislation expanding, protecting, and strengthening access to reproductive health care, including abortions, for all Californians and people seeking such care in our state.<sup>18</sup> Additionally, the voters overwhelmingly approved Proposition 1 (Nov. 8, 2022 gen. elec.), and enacted an express constitutional right in the state constitution that prohibits the state from interfering with an individual's reproductive freedom in their most intimate decisions. Though California has enacted numerous laws to protect the fundamental right to reproductive freedom, without federal protections there is nothing prohibiting patients and providers of sexual and reproductive health care from being criminalized for receiving or providing essential health care services, including abortion, in other states. For these reasons, this resolution urges the President of the

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<sup>16</sup> Center for Reproductive Rights, *The Disproportionate Harm of Abortion bans: Spotlight on Dobbs v. Jackson Women's Health*, (Nov. 29, 2021), available at <https://reproductiverights.org/supreme-court-case-mississippi-abortion-ban-disproportionate-harm/>.

<sup>17</sup> California Proclamation on Reproductive Freedom (May 31, 2019) available at <https://www.gov.ca.gov/wp-content/uploads/2019/05/Proclamation-on-Reproductive-Freedom.pdf>.

<sup>18</sup> Kristen Hwang, *Newsom signs abortion protections into law*, CalMatters (Sept. 27, 2022), available at <https://calmatters.org/health/2022/09/california-abortion-bills/>.

United States and the United States Congress to enact federal legislation that guarantees the right to reproductive freedom, including abortion and contraception.

#### 4. Proposed amendment

As it presently appears in print, the resolution states that “it is likely that abortion will be banned or severely restricted in 26 states.” However, this figure has changed to 24 states as Michigan voters overwhelmingly approved an amendment to the state constitution protecting abortion rights in the November 2022 election and the South Carolina Supreme Court struck down that state’s ban on abortion in January 2023. As such the author may wish to amend the resolution to reflect the above changes to the current legal landscape.

The specific amendment is as follows:

On page 2, in line 9, strike out “26” and insert: 24

#### 5. Statements in support

The author writes:

50 years ago, the U.S. Supreme Court ruled in *Roe v. Wade* that a woman’s constitutional right to privacy includes her right to abortion. Before *Roe v. Wade*, an estimated 1.2 million women resorted to illegal abortion every year, resulting in thousands and thousands of deaths. On June 24, 2022 six of the nine U. S. Supreme Court Justices voted to overturn *Roe v. Wade* in *Dobbs v. Jackson Women’s Health Organization* decision – returning our country back to a time of legal restrictions on women’s right to make decisions about their own bodies and future, and a time when life endangering abortions were many women’s only option. With *Roe v. Wade* overturned, abortion is already banned in 21 states and likely to be banned or severely restricted in more, affecting the bodily autonomy of more than 36 million women and even more people who can become pregnant, and disproportionately affecting youth, people with low incomes, and communities of color. SR 9 honors the 50th anniversary of *Roe v Wade* and reaffirms California’s strong support of every person’s right to decide their reproductive future, as a Reproductive Freedom State. This resolution also acknowledges California voters overwhelmingly supported Proposition 1 on the November 2022 ballot, a proposition that enacted a state constitutional right to prohibit the state from interfering with an individual’s reproductive freedom in their most intimate decisions. California will continue to fight for every person’s right to bodily autonomy, equitable access to healthcare, freedom to choose what is best for themselves and their health, and equality for reproductive rights of all genders.



Black Women for Wellness Action Project writes in support:

[...] Since the US Supreme Court overturned *Roe v. Wade* in 2022 through the *Dobbs v. Jackson Women's Health Organization* decision, abortion care has been banned in 21 states and will likely be banned or severely restricted in several more, impinging on the bodily autonomy of more than 36 million women and even more people who can become pregnant. This has severe implications on the health and wellbeing of women, birthing people and their families in many regards. As an example, forcing people to carry their pregnancies to term will impact maternal mortality rates, as banning access to abortion care is projected to increase pregnancy related deaths for Black Women by 33% and 23% overall. [...]

NARAL Pro-Choice California writes in support:

[...] On what would have been the 50th anniversary of *Roe v. Wade* recognizing the constitutional right to abortion, reproductive freedom and abortion access in our country is in peril. We are instead witnessing the devastating impacts of the Supreme Court's decision to strip Americans of the fundamental freedom to make decisions about their own bodies. Already, 17 states are enforcing bans on abortion, and we are seeing the devastating consequences on real people's lives unfold in real time. In some states, these bans intimidate doctors and hospitals, stopping them from providing critical care like miscarriage management, putting pregnant people's lives and health in danger. The threats don't end there: House Republicans have already signaled that they intend to attack abortion access now that they have a majority, and anti-choice extremists have handed them a list of priorities that include a national ban on abortion. These attacks on reproductive freedom are part of a broader agenda to roll back our fundamental rights, including the freedom to vote, LGBTQ rights, and more.

In California, we are going the opposite direction and actively taking steps to protect the fundamental reproductive freedoms of all people. [...]

Planned Parenthood Affiliates of California writes in support:

The California Legislature and State Leaders has [sic] also demonstrated their commitment to protecting reproductive health and abortion access by passing the nation's most comprehensive and forward-looking efforts to enshrine abortion access in the state's constitution, to protect patients and providers, and improve access to care in 2022.

6. Statements in opposition

The California Family Council writes in opposition:

[...] Unborn human beings deserve the same right to life, liberty, and the pursuit of happiness as everyone else. Abortion violates this principle, and just like the dehumanizing institution of slavery, it deserves to be abolished.

In light of this truth, California legislators should not be encouraging the federal government to violate the liberty and the pursuit of happiness owed to every human being, especially vulnerable little people still in the womb. [...]

The Right to Life League writes in opposition:

[...] California's Abortion Amendment promulgated, but did not not define, the term [reproductive freedom]. [...] Judicial interpretation of such a vague right to could create a brave new world of reproductive freedoms, that strip away parental rights to protect children from sexual abuse, overriding accepted morality, including prohibitions on incest, polygamy, rape, and pedophilia, possibly even requiring government-funded [sic] surrogacy, and gender transition surgeries at all ages.

This virtue signaling to promote the killing of humans in the womb in the guise of "reproductive freedom" is an irresponsible and reprehensible waste of California's legislative time and resources.

**SUPPORT**

ACCESS Reproductive Justice  
American Nurses Association/California  
Black Women for Wellness Action Project  
California Nurse Midwives Association  
NARAL ProChoice California  
Planned Parenthood Affiliates of California  
The Women's Building

**OPPOSITION**

California Family Council  
Right to Life League

## RELATED LEGISLATION

### Pending Legislation:

H.R. 6 (Aguiar-Curry, 2023) is similar to SR 9. HR 6 is currently pending referral in the Assembly.

### Prior Legislation:

SCA 10 (Atkins and Rendon, Ch. 87, Stats. 2022) expressly provided that the state shall not deny or interfere with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives, and states the measure is intended to further the right to privacy and the right to not be denied equal protection, as guaranteed by the California Constitution and that it does not narrow or limit the right to privacy or equal protection.

SB 245 (Gonzalez, Ch. 11, Stats. 2022) prohibited cost-sharing, restrictions, delays, prior authorization, and annual or lifetime limits on all abortion services, including follow-up services.

SB 1142 (Caballero and Skinner, Ch. 87, Stats. 2022) established a web page for centralized information on services and support for those seeking abortion care, and a fund that enables private and public sources to support the work of abortion providers and other community-based organizations that secure practical support and other needs for patients and providers.

SB 1245 (Kamlager, Ch. 567, Stats. 2022) established a reproductive health pilot project in Los Angeles County to support innovative approaches and patient centered collaborations to safeguard patient access to abortions, regardless of residency.

SB 1375 (Atkins, Ch. 631, Stats. 2022), among other things, authorized nurse practitioners (NPs) who are qualified to independently practice to provide abortion services by aspiration techniques in the first trimester without having to work under existing prescribed standardized procedures.

AB 1666 (Bauer-Kahan, Ch. 42, Stats. 2022) prohibited the enforcement in this state of out-of-state laws authorizing a civil action against a person or entity that receives or seeks, performs or induces, or aids or abets the performance of an abortion, or who attempts or intends to engage in those actions and declares those out-of-state laws to be contrary to the public policy of this state.

AB 2091 (Mia Bonta, Ch. 628, Stats. 2022), among other things, prohibited compelling a person to identify or provide information that would identify an individual who has

sought or obtained an abortion in a state, county, city, or other local criminal, administrative, legislative, or other proceeding if the information is being requested based on another state's laws that interfere with a person's right to choose or obtain an abortion or a foreign penal civil action.

AB 2134 (Weber, Ch. 562, Stats. 2022) established a gap coverage and uncompensated care program to provide for those Californians lacking coverage for abortion and abortion-related care, including those who are uninsured and underinsured.

AB 2205 (Carrillo, Ch. 563, Stats. 2022) required the qualified health plans contracting with Covered California to report annually to the Department of Insurance and Department of Managed Health Care the total amounts of funds collected in specified segregated accounts, which were established under California's implementation of the Affordable Care Act (ACA) due to the federal restrictions on use of federal ACA funds to hold premium payment of \$1 per member per month and from which claims for abortions must be paid.

AB 2223 (Wicks, Ch. 629, Stats. 2022), among other things, authorized a party aggrieved by a violation of the Reproductive Privacy Act to bring a civil action against an offending state actor, as specified, and provides that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions, which entails the right to make and effectuate decisions about all matters relating to pregnancy, including prenatal care, childbirth, postpartum care, contraception, sterilization, abortion care, miscarriage management, and infertility care.

AB 2586 (Garcia, Ch. 564, Stats. 2022) established a working group with specified membership to examine the root causes of the reproductive health and sexual health inequities in California, and required the working group to submit a report to the Legislature on or before January 1, 2024. The bill also created the California Reproductive Justice and Freedom Fund to support community-based organizations to provide medically accurate, culturally congruent, comprehensive reproductive and sexual health education, inclusive of abortion, to disproportionately impacted communities.

AB 2626 (Calderon, Ch. 565, Stats. 2022) protected abortion providers in California by prohibiting the removal or suspension of medical licenses for a licensee providing abortion care in California who is complying with California law.

SR 63 (Skinner, 2022) was similar to SR 9.

SR 6 (Skinner, 2021) was similar to SR 9.

HR 10 (Calderon, 2021) was similar to SR 9.

SR 66 (Leyva, 2020) was similar to SR 9.

HR 69 (Limón, 2020) was similar to SR 9.

SR 7 (Leyva, 2019) was similar to SR 9.

SB 24 (Leyva, Ch. 740, Stats. 2019) required each student health care services clinic on a California State University or University of California campus to offer abortion by medication techniques, as specified, beginning in 2023.

SB 301 (Leyva, 2019) would have required the Department of Health Care Services, if there were any reductions in federal financial participation to the Family PACT Program, to submit to the Legislature a plan, within 60 days of the reduction, to ensure the sustainability of the program and other specified family planning services. SB 301 died in the Assembly Appropriations Committee.

ACR 110 (Wicks, 2019) would have declared, among other things, that California is a Reproductive Freedom State for All and would have provided that the Legislature is committed to guaranteeing the constitutionally protected right to an abortion and supporting efforts to increase access to the best available reproductive and pregnancy-related care for women and pregnant individuals. ACR 110 died in the Senate Judiciary Committee.

HR 6 (Limón, 2019) was similar to SR 9.

SR 72 (Leyva, 2018) was similar to SR 9.

SR 12 (Atkins, 2017) was similar to SR 9.

HR 32 (Atkins, 2016) was similar to SR 9.

SJR 19 (Jackson, Res. Ch. 52, Stats. 2016) was similar to SR 9.

SR 55 (Jackson, 2014) urged the U.S. Senate to reconsider and approve SB 2578, the "Not My Boss's Business Act," which sought to prevent employers from denying coverage of contraceptives regardless of their religious views.

SR 10 (Jackson, 2013) was similar to SR 9.

SJR 19 (Alquist, 2005) was similar to SR 9. SJR 19 was referred to this Committee but not set for a hearing.

AJR 3 (Cohn, Res. Ch. 83, Stats. 2005) was similar to SR 9.

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AJR 57 (Jackson, Res. Ch. 50, Stats. 2004) was similar to SR 9.

AJR 2 (Jackson, Res. Ch. 63, Stats. 2003) was similar to SR 9.

SJR 3 (Karnette, Res. Ch. 112, Stats. 2001) was similar to SR 9.

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