

CITY OF SEATTLE
ORDINANCE 126650
COUNCIL BILL 120376

AN ORDINANCE relating to the City’s criminal code; amending Section 12A.09.020 of the Seattle Municipal Code to adopt the Revised Code of Washington offense Interference with Health Care Facilities or Providers.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

WHEREAS, in 1991, the people of Washington initiated the Reproductive Privacy Act, which affirms the fundamental right of persons in Washington State to privacy with respect to personal reproductive decisions and proscribes the authority of the state to deny or interfere with a “pregnant individual’s right to choose or refuse to have an abortion”; and

WHEREAS, in 1993 the legislature codified Chapter 9A.50, Interference with Health Care Facilities or Providers, in the Revised Code of Washington (RCW); and

WHEREAS, Chapter 9A.50 RCW finds that “seeking or obtaining health care is fundamental to public health and safety” and creates criminal penalties for persons who interfere with access to health care facilities; and

WHEREAS, on June 24, 2022, the U.S. Supreme Court issued a decision in *Dobbs v. Jackson Women’s Health Organization* (No. 19-1392) overruling the constitutional right to an abortion established by *Roe v. Wade*, 410 U.S. 113, and *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833, and repudiating a constitutional right to privacy; and

WHEREAS, *The New York Times* estimates that after the *Dobbs* decision, with current and likely trigger laws banning abortions in up to 24 states, as many as 17 million persons capable of being pregnant would not have access to local abortion services; and

1 WHEREAS, reproductive health organizations estimate that, after *Dobbs*, Washington State will
2 see an increase in persons traveling to the state to seek abortion services; and

3 WHEREAS, the City has an interest in ensuring public health and safety and protecting the
4 privacy interests and personal safety of Seattle residents and persons who travel to Seattle
5 to seek health care services not offered in their state, such as abortion services and
6 gender-affirming care; and

7 WHEREAS, adopting Chapter 9A.50 RCW into the Seattle Criminal Code will authorize the
8 City Attorney to prosecute the offense in Seattle Municipal Court; NOW, THEREFORE,

9 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

10 Section 1. Section 12A.09.020 of the Seattle Municipal Code, last amended by the
11 ordinance introduced as Council Bill 120363, is amended as follows:

12 **12A.09.020 Adoption of RCW sections**

13 The following RCW sections as amended are adopted by reference:

14 7.105.010 - Definitions

15 7.105.450 - Enforcement and penalties - Other than antiharassment protection orders and
16 extreme risk protection orders

17 7.105.455 - Enforcement and penalties - Antiharassment protection orders

18 7.105.460 - Enforcement and penalties - Extreme risk protection orders - False petitions

19 9.68A.090 - Communication with minor for immoral purposes - Penalties

20 9.94A.030's definition of "Domestic violence"

21 9.94A.835 - Special allegation - Sexual motivation - Procedures

22 9A.36.041 - Assault in the fourth degree

23 9A.46.020 - Definition - Penalties (Harassment)

- 1 9A.46.030 - Place where committed
- 2 9A.46.040 - Court-ordered requirements upon person charged with crime - Violation
- 3 9A.46.050 - Arraignment - No-contact order
- 4 9A.46.080 - Order restricting contact - Violation
- 5 9A.46.085 - Stalking no-contact orders - Appearance before magistrate required
- 6 9A.46.110 - Stalking
- 7 9A.50.010 - Definitions
- 8 9A.50.020 - Interference with health care facility
- 9 9A.50.030 - Penalty
- 10 9A.50.040(1) - Civil remedies
- 11 9A.50.050 - Civil damages
- 12 9A.50.060 - Informational picketing
- 13 9A.50.070 - Protection of health care patients and providers
- 14 9A.50.900 - Construction
- 15 9A.88.010 - Indecent exposure
- 16 9A.88.110 - Patronizing a prostitute
- 17 9A.88.130 - Additional requirements
- 18 10.99.010 - Intent
- 19 10.99.020 - Definitions
- 20 10.99.030 - Law Enforcement Officers - Training, powers, duties - Domestic violence
- 21 reports
- 22 10.99.040 - Duties of court
- 23 10.99.055 - Enforcement of orders

1 10.99.100 - Sentencing - Factors – Defendant’s criminal history

2 10.99.901 - Construction

3 26.44.063 - Temporary restraining order or preliminary injunction - Enforcement - Notice
4 of modification or termination of restraining order

5 26.44.067 - Temporary restraining order or preliminary injunction - Contents - Notice -
6 Noncompliance - Defense - Penalty


7 43.43.754’s crime of refusal to provide DNA

8 As used in this Title 12A, as well as in any citation, order, complaint, or charging
9 documents, “sexual exploitation” means the crime of patronizing a prostitute as referred to in
10 RCW 9A.88.110, and the crime of patronizing a prostitute as referred to in RCW 9A.88.110 and
11 incorporated by reference in this Section 12A.09.020 may be known as “sexual exploitation”
12 when charged in Seattle Municipal Court.

13 Section 2. The provisions of this ordinance are declared to be separate and severable. The
14 invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance,
15 or the invalidity of its application to any person or circumstance, does not affect the validity of
16 the remainder of this ordinance or the validity of its application to other persons or
17 circumstances.

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.


4 Passed by the City Council the 9th day of August, 2022,
5 and signed by me in open session in authentication of its passage this 9th day of
6 August, 2022.

7 
8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this 15th day of August, 2022.

10 
11 Bruce A. Harrell, Mayor

12 Filed by me this 15th day of August, 2022.

13 
14 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)

16 Attachments: