

Amendment A to CB 120950 – Shield Law

Sponsor: Councilmember Moore

Defining term and clarifying scope of prohibitions

Effect: This amendment would define the term “assistance,” which is used in this bill and in state law but is currently undefined. This amendment would also add agents of City agencies, commissions, boards, or departments to the prohibition on cooperation with or provision of information related to protected health care services.

Background: The changes this amendment would mirror relevant changes to the State Shield Law that are proposed by legislation (Senate Bill 5632) currently active in the state legislature and supported by the State Attorney General’s Office.

Amend Section 1 of CB 120950 as follows:

Section 1. A new Chapter 14.115 is added to the Seattle Municipal Code as follows:

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14.115.010 Definitions

The definitions in this Section 14.115.010 apply throughout this Chapter 14.115 unless the context clearly requires otherwise.

“Aggrieved party” means a person against whom an underlying action is commenced based on the aggrieved party’s provision, receipt, attempted provision or receipt, assistance in the provision or receipt, or attempted assistance in the provision or receipt of protected health care services.

“Assistance” means any action to help, aid, or support the provision or receipt of protected health services including, but not limited to, providing financial, logistical, informational, or travel support to facilitate access to protected health services.

“City” means The City of Seattle.

“Gender-affirming treatment” means health services or products that support and affirm an individual’s gender identity, including social, psychological, behavioral, and medical or surgical interventions. Gender-affirming care services include, but are not limited to, evaluation and treatments for gender dysphoria, gender-affirming hormone therapy, and gender-affirming surgical procedures.

“Protected health care services” means gender-affirming treatment and reproductive health care services that are lawful in the state of Washington.

“Reproductive health care services” means all services, care, or products of a medical, surgical, psychiatric, therapeutic, mental health, behavioral health, diagnostic, preventative, rehabilitative, supportive, counseling, referral, prescribing, or dispensing nature relating to the human reproductive system including, but not limited to, all services, care, and products relating to pregnancy, assisted reproduction, contraception, miscarriage management, or the termination of a pregnancy, including self-managed terminations.

“Underlying action” means a civil, criminal, or administrative proceeding, or any proceeding preliminary thereto.

14.115.020 Declaration of public policy – Cooperation to enforce other state’s laws

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1. A City court, judicial officer, court employee or clerk, or public employee or official shall not issue or effectuate a warrant for the arrest of any person in connection with the provision, receipt, attempted provision or receipt, assistance in the provision or receipt, or attempted assistance in the provision or receipt of protected health care services that are lawful in the state of Washington and a City law enforcement agency or officer shall not effectuate such a

Tamaso Johnson
City Council
March 25, 2025
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warrant or knowingly arrest, or knowingly participate in the arrest of, any person for the provision, receipt, attempted provision or receipt, assistance in the provision or receipt, or attempted assistance in the provision or receipt of such protected health care services.

2. A City agency, commission, board, or department, or any employee or agent thereof, acting in their official capacity, shall not cooperate with or provide information to any individual, agency, commission, board, or department from another state or, to the extent permitted by federal law, to a federal law enforcement agency, for the purpose of enforcing another state's law or an investigation related to another state's law that asserts criminal or civil liability for the provision, receipt, attempted provision or receipt, assistance in the provision or receipt, or attempted assistance in the provision or receipt of protected health care services that are lawful in the state of Washington.

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