

**CITY OF BALTIMORE
COUNCIL BILL 23-0185R
(First Reader)**

Introduced by: Councilmembers Porter, Ramos, Middleton, Cohen, Burnett, McCray, Bullock,
Conway, Stokes, Glover, Costello, and President Mosby

Introduced and read first time: August 21, 2023

Assigned to: Health, Environment, and Technology Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Health Department

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Reproductive Options for Everyone**

3 FOR the purpose of calling on all units of City government receiving City funds to safeguard an
4 individual's right to abortion care by, unless otherwise required by Maryland or federal law,
5 refraining from using City funds to store, catalogue, provide, monitor, or collect certain
6 information that could be used to retaliate against an individual seeking abortion care.

7 **Recitals**

8 **WHEREAS**, the City Council of Baltimore City recognizes that reproductive rights are human
9 rights and strongly support the right of pregnant persons to bodily autonomy and control over
10 their medical decisions, as well as their right to privacy with regard to those decisions.

11 **WHEREAS**, the 2022 decision by the United States Supreme Court to overturn the 1973 ruling
12 in *Roe v. Wade* has threatened these rights and several states have subsequently passed legislation
13 impeding a pregnant person's right to bodily autonomy by severely restricting or outright banning
14 an individual's right to seek abortion care.

15 **WHEREAS**, some state legislatures have demonstrated an intent to punish individuals who
16 cross state lines to seek abortion care, including Idaho, which enacted a law penalizing
17 individuals who assist a minor in seeking out-of-state abortion care.

18 **WHEREAS**, these laws have a detrimental effect on the health and welfare of pregnant persons
19 by restricting or eliminating access to safe abortions, even when the life of the pregnant person is
20 in danger.

21 **WHEREAS**, eliminating the right to safe and legal abortion care is proven to increase the risk
22 of death, physical injury, and infertility to pregnant persons who need or desire abortion care and
23 it is well-documented that these laws restricting or eliminating abortion care options
24 disproportionately harm minorities and lower-income individuals.

25 **WHEREAS**, the City Council of Baltimore City supports the right of every person to medical
26 treatment, including abortion care, and recognize the right to privacy inherent in the United
27 States Constitution.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 **WHEREAS**, the rights to medical care and privacy should not only shield pregnant persons
2 from criminal charges arising from the exercise of these fundamental rights, but should also
3 shield pregnant persons from unreasonable intrusion into their medical records.

4 **WHEREAS**, the City Council of Baltimore City condemns in the strongest terms any attempt
5 to abrogate these fundamental liberties and affirm their commitment to protecting privacy and the
6 right to bodily autonomy regarding reproductive health care decisions and safeguarding
7 individuals from repercussions for exercising those rights.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, that the City
9 Council of Baltimore City calls on all units of City government receiving City funds, including
10 all City agencies, the Baltimore Police Department, the Baltimore City Sheriff’s Office, and the
11 Office of the State’s Attorney for Baltimore City, to, except as otherwise required by Maryland or
12 federal law, refrain from using City funds to:

- 13 1. store or catalogue any report of:
 - 14 (i) an abortion;
 - 15 (ii) a miscarriage; or
 - 16 (iii) another reproductive health care act that could be prosecuted based on an
17 out-of-state law;
- 18 2. unless such information is provided to defend a patient’s right to abortion care or a
19 healthcare provider’s right to provide that care, provide information to any other
20 governmental body or agency about any:
 - 21 (i) abortion;
 - 22 (ii) miscarriage; or
 - 23 (iii) another reproductive health care act that could be prosecuted; and
- 24 3. conduct surveillance or collect data or other information related to any individual,
25 organization, or medical provider for the purpose of determining whether an abortion
26 has occurred, except for the collection of aggregated data without personally
27 identifying information or personal health information for purposes unrelated to
28 criminal investigation, enforcement or prosecution.

29 **AND BE IT FURTHER RESOLVED**, That the City Council of Baltimore City does not
30 intend for any part of this Resolution to apply in a case where coercion or force is used against a
31 pregnant person, or in a case involving criminally negligent conduct of the health of a pregnant
32 person seeking care.

33 **AND BE IT FURTHER RESOLVED**, That all resolutions or parts of resolutions previously
34 passed by the City Council conflicting this Resolution are hereby waived to the extent of the
35 conflict.

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1 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the City
2 Solicitor, the Acting Commissioner of the Baltimore Police Department, the Baltimore City
3 Sheriff, the State’s Attorney for Baltimore City, the Commissioner of the Baltimore City Health
4 Department, and the Mayor’s Legislative Liaison to the City Council.