

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to reaffirming The City of Seattle as a Welcoming City; supporting access to reproductive health care services and gender-affirming treatment in Seattle; extending the responsibility of City employees to protect the provision of reproductive health care services and gender-affirming treatment; and adding a new Chapter 14.115 to the Seattle Municipal Code.

..body

WHEREAS, The City of Seattle (“City”) recognizes the inherent worth and equal rights of all people, including 2SLGBTQIA+ individuals, and seeks to provide a safe and welcoming environment for those who reside in, work in, or visit the City; and

WHEREAS, the City unequivocally supports the rights of individuals to seek, obtain, provide, or facilitate reproductive health care services and gender-affirming treatment that is legal in Washington State; and

WHEREAS, the City has a long history of opposing discrimination based on race, color, religion, national origin, ancestry, disability, age, sexual orientation, gender identity, and sex; and

WHEREAS, the City fosters a culture and environment that make it a vibrant, global city where all residents, including immigrants, refugees, 2SLGBTQIA+ individuals, and other marginalized persons can fully participate in and be integrated into the social, civic, and economic fabric of Seattle; and

WHEREAS, the City has previously affirmed in Resolution 31730 the promotion of policies and programs that reflect Seattle’s status as a Welcoming City; and

WHEREAS, the City has previously affirmed in Resolution 32054 and Ordinance 126649 its support of laws safeguarding reproductive rights to provide everyone in Seattle,

1 Washington State, and beyond access to safe abortions and comprehensive reproductive
2 health care, including protections against discrimination; and

3 WHEREAS, the City has previously affirmed in Resolution 31738 its request to the United
4 States Congress to ensure that federal civil rights laws are fully inclusive of protections
5 based on sexual orientation and gender identity or expression; and

6 WHEREAS, Ordinance 125100, adopted August 3, 2016, recognizes that members of the
7 2SLGBTQIA+ community still face threats to their physical safety, economic security,
8 and overall well-being, and the City has a compelling interest in protecting the physical
9 and psychological well-being of minors, including 2SLGBTQIA+ youth, and in
10 protecting its minors against exposure to serious harms caused by conversion therapy;
11 and

12 WHEREAS, Ordinance 126634, adopted August 1, 2022, establishes the City as a sanctuary city
13 for those seeking abortion care and prevents the Seattle Police Department from
14 cooperating with out-of-state warrants related to abortions or other reproductive health
15 care; and

16 WHEREAS, Ordinance 124829, adopted August 14, 2015, helps create safer, more accessible
17 restroom facilities for everyone, including transgender and gender diverse individuals;
18 and

19 WHEREAS, Executive Order 2023-07 Equity and Opportunity in City Contracting recognizes
20 that LGBTQ-owned businesses are also impacted by contracting equity, and directed the
21 Finance and Administrative Services Department to explore ways to advance opportunity
22 for these firms; and

1 WHEREAS, Washington State’s Shield Law that was enacted in 2023 provides protections for
2 those who pursue or provide legal reproductive health care services or gender-affirming
3 treatment in Washington State; and

4 WHEREAS, the City affirms its role as a leader in inclusion by upholding Washington State’s
5 Shield Law and Washington State’s Law Against Discrimination and resisting efforts to
6 impose discriminatory policies that violate constitutional rights or Washington State’s
7 anti-discrimination laws; and

8 WHEREAS, a federal judge granted Washington State’s request for a preliminary injunction
9 blocking President Trump’s action to deny life-saving medical care to transgender youth;
10 and

11 WHEREAS, the 2SLGBTQIA+ community in Seattle represents a vital part of the City’s
12 cultural, social, and economic diversity, and faces ongoing discrimination, violence, and
13 systemic barriers that threaten their safety and well-being; and

14 WHEREAS, the City recognizes that transgender, non-binary, and gender-diverse individuals are
15 disproportionately targeted by violence and discriminatory policies and seeks to protect
16 and affirm their rights; and

17 WHEREAS, across the country, anti-2SLGBTQIA+ legislation continues to be enacted,
18 threatening access to health care, education, and protections under the law, and the City
19 remains steadfast in its commitment to reject such policies and protect 2SLGBTQIA+
20 residents and visitors; and

21 WHEREAS, the City rejects efforts that criminalize or marginalize 2SLGBTQIA+ identities,
22 including attempts to ban gender-affirming treatment, censor 2SLGBTQIA+ literature,

1 restrict 2SLGBTQIA+ expression, or otherwise undermine the rights of 2SLGBTQIA+
2 individuals; and

3 WHEREAS, the City unequivocally supports the rights of individuals to engage in free speech or
4 expression supporting 2SLGBTQIA+ rights, embrace and express their own authentic
5 gender and sexuality, and define their own gender and sex with or without regard to
6 biological sex at birth; and

7 WHEREAS, the City opposes any government actions that restrict access to reproductive and
8 2SLGBTQIA+ health care, including gender-affirming treatment; and

9 WHEREAS, the City has a long-standing commitment to improving the lives of 2SLGBTQIA+
10 individuals and communities, including investments in the first 2SLGBTQIA+ affirming
11 senior housing project in Washington; hubs and communal spaces for 2SLGBTQIA+
12 individuals seeking resources, wellness, and community; gender-inclusive youth and
13 older adult athletic programming; and supporting economic development for
14 2SLGBTQIA+ owned businesses; and

15 WHEREAS, the City's Office of Civil Rights enforces Seattle civil rights laws, protecting people
16 from discrimination in city services, employment, housing, contracting, and public
17 accommodations on the basis of, among other things, gender identity, sexual orientation,
18 and sex; and

19 WHEREAS, the City is committed to providing services and enforcing laws in a professional,
20 nondiscriminatory, fair, and equitable manner, and continues to improve its policies and
21 delivery of services for 2SLGBTQIA+ individuals, including bias-free policing policies,
22 and culturally relevant training programs for health, housing, and social service
23 providers; and

1 WHEREAS, the Seattle Police Department is the only law enforcement agency in Washington to
2 have a full time 2SLGBTQIA+ liaison, who serves as a point of contact, advocates for
3 community members, and builds trust, and the City is committed to maintaining this
4 valuable position; and

5 WHEREAS, the City is continually seeking ways to reduce barriers to accessing resources and
6 support for 2SLGBTQIA+ individuals and organizations; and

7 WHEREAS, the City will continue to celebrate and uplift 2SLGBTQIA+ voices and
8 contributions through public events, education, and partnerships with community
9 organizations; and

10 WHEREAS, the City seeks to serve as a refuge of fairness, respect, and dignity for all, including
11 2SLGBTQIA+ individuals, immigrants, refugees, and other historically marginalized
12 communities; and

13 WHEREAS, the City reaffirms its commitment to diversity, inclusion, and justice, and its
14 commitment to fostering an environment where all individuals, regardless of sexual
15 orientation, gender identity, or reproductive health care needs, can live authentically and
16 without fear of discrimination or harm; and

17 WHEREAS, as a Welcoming City, the City is committed to recognizing the dignity of all its
18 residents, workers, and visitors, including the right to reside in, work in, and visit a city
19 that does not subject them to prejudicial treatment or discrimination; and

20 WHEREAS, the City seeks to codify relevant portions of Washington State’s Shield Law and
21 extend provisions to City employees; NOW, THEREFORE,

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

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

1 **Chapter 14.115 PROTECTED HEALTH CARE SERVICES**

2 **14.115.005 Purpose**

3 The purpose of this Chapter 14.115 is to incorporate relevant portions of the Washington State
4 Shield Law (chapter 7.115 RCW) into City law and extend provisions to City employees.

5 **14.115.010 Definitions**

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

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

12 “City” means The City of Seattle.

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

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

20 “Reproductive health care services” means all services, care, or products of a medical,
21 surgical, psychiatric, therapeutic, mental health, behavioral health, diagnostic, preventative,
22 rehabilitative, supportive, counseling, referral, prescribing, or dispensing nature relating to the
23 human reproductive system including, but not limited to, all services, care, and products relating

1 to pregnancy, assisted reproduction, contraception, miscarriage management, or the termination
2 of a pregnancy, including self-managed terminations.

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

5 **14.115.020 Declaration of public policy – Cooperation to enforce other state’s laws**

6 A. It is the public policy of this City to protect the provision of protected health care
7 services that are lawful in the state of Washington by a person duly licensed under the laws of
8 the state of Washington and the provision of insurance coverage for such services regardless of
9 the location of the person receiving the services.

10 B. A law of another state that authorizes the imposition of civil or criminal penalties or
11 liability related to the provision, receipt, attempted provision or receipt, assistance in the
12 provision or receipt, or attempted assistance in the provision or receipt of protected health care
13 services that are lawful in the state of Washington is against the public policy of the City.

14 C.

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

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

9 3. A City court, judicial officer, court employee or clerk, or attorney shall not
10 issue a subpoena, warrant, court order, or other civil or criminal legal process pursuant to any
11 state law in connection with a proceeding in another state related to the provision, receipt,
12 attempted provision or receipt, assistance in the provision or receipt, or attempted assistance in
13 the provision or receipt of protected health care services that are lawful in the state of
14 Washington.

15 4. Nothing in this Section 14.115.020 prohibits the investigation of any criminal
16 activity in this state that may involve the alleged provision, receipt, attempted provision or
17 receipt, assistance in the provision or receipt, or attempted assistance in the provision or receipt
18 of protected health care services occurring in the state of Washington. Any information relating
19 to any protected health care services provided to a specific individual shall not be shared with an
20 agency, department, or individual from another state for the purpose of investigating or enforcing
21 another state’s law that asserts criminal or civil liability for the provision, receipt, attempted
22 provision or receipt, assistance in the provision or receipt, or attempted assistance in the
23 provision or receipt of protected health care services that are lawful in the state of Washington.

1 5. A City court, judicial officer, court employee or clerk, or public employee or
2 official shall not apply to a case or controversy heard in City court any law that is contrary to this
3 City’s public policy as described in this Section 14.115.020.

4 **14.115.030 Subpoenas – Quashing**

5 Any person in the state of Washington that receives a subpoena from any court, state or federal,
6 in the United States or any of its territories, may, pursuant to the Washington Rules of Civil
7 Procedure, move to modify or quash the subpoena on the grounds that it is inconsistent with the
8 public policy of the City under this Chapter 14.115 if:

9 A. The information sought concerns the provision, receipt, attempted provision or receipt,
10 assistance in the provision or receipt, or attempted assistance in the provision or receipt of
11 protected health care services that are lawful in the state of Washington; and

12 B. Liability in the underlying action is based in whole or in part on a cause of action or
13 criminal liability that is not available under Washington law or the law of another state that is
14 substantially similar to Washington law.

15 **14.115.040 Civil claim for interference with protected health care services**

16 A.

17 1. A claim for interference with protected health care services arises when:

18 a. Any underlying action is commenced against an aggrieved party in any
19 court, state or federal, in the United States or any of its territories, where liability in the
20 underlying action is based in whole or in part on:

21 1) The aggrieved party’s provision, receipt, attempted provision or
22 receipt, assistance in the provision or receipt, or attempted assistance in the provision or receipt
23 of protected health care services that are lawful in the state of Washington;

1 c. Other factors exist that the court determines demonstrate the objective
2 baselessness of the underlying action.

3 2. An underlying action is brought for an improper purpose under this Section
4 14.115.040 if:

5 a. A purpose of the underlying action is to deter acts or omissions in
6 Washington state that are permitted under the laws of the state of Washington; or

7 b. Other factors exist that the court determines demonstrate the underlying
8 action was brought for an improper purpose.

9 C. If a court finds for the aggrieved party in an action asserting a claim for interference
10 with protected health care services authorized by this Section 14.115.040, the aggrieved party
11 may recover damages from any party that brought the underlying action. Recoverable damages
12 include:

13 1. Actual damages including, but not limited to, costs and reasonable attorneys'
14 fees spent in defending the underlying action;

15 2. Costs and reasonable attorneys' fees incurred in bringing an action under this
16 Section 14.115.040 as may be allowed by the court; and

17 3. Statutory damages up to \$10,000 if the underlying action is found to be
18 frivolous.

19 D. The provisions of this Section 14.115.040 do not apply to a judgment entered in
20 another state that is based on an action:

21 1. Founded in tort, contract, or statute, and for which a similar claim would exist
22 under the laws of this state, brought by the person who received the protected health care
23 services upon which the original lawsuit was based or the person's authorized legal

1 representative, for damages suffered by the person or damages derived from an individual's loss
2 of consortium of the person;

3 2. Founded in contract, and for which a similar claim would exist under the laws
4 of this state, brought or sought to be enforced by a party with a contractual relationship with the
5 person that is the subject of the judgment entered in another state; or

6 3. Where no part of the acts that formed the basis for liability occurred in this
7 state.

8 **14.115.050 Enforcement by City Attorney**

9 The City Attorney may bring an action to enjoin any person from violating any provision of this
10 Chapter 14.115. Upon proper showing, a court of competent jurisdiction may grant a permanent
11 or temporary injunction, restraining order, writ of mandamus, or any additional orders or
12 judgments necessary to enjoin such persons from violating this Chapter 14.115. For any action in
13 which the City Attorney prevails, the City Attorney may recover the costs of the action,
14 including a reasonable attorney's fee.

15 **14.115.900 Short title**

16 This Chapter 14.115 may be known and cited as the Shield Law.

17 **14.115.901 Construction – Full faith and credit**

18 The courts of this state shall give full faith and credit as provided for in the United States
19 Constitution to the public acts, records, and judicial proceedings of another state and nothing in
20 this Chapter 14.115 shall be construed to undermine the primacy of that clause.

1 Section 2. This ordinance shall take effect as provided by Seattle Municipal Code
2 Sections 1.04.020 and 1.04.070.

3 Passed by the City Council the _____ day of _____, 2025,
4 and signed by me in open session in authentication of its passage this _____ day of
5 _____, 2025.

6 _____
7 President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

8 _____
9 Bruce A. Harrell, Mayor

10 Filed by me this _____ day of _____, 2025.

11 _____
12 Scheereen Dedman, City Clerk

13 (Seal)