
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2023 - 2024 Regular Session

SB 345 (Skinner) - Health care services: legally protected health care activities

Version: April 27, 2023

Urgency: No

Hearing Date: May 18, 2023

Policy Vote: PUB. S. 4 - 0, JUD. 8 - 2

Mandate: Yes

Consultant: Matthew Fleming

Bill Summary: SB 345 would enact various safeguards against the enforcement of other states' laws that prohibit, criminalize, sanction, authorize civil liability against, or otherwise interfere with a person, provider, or other entity in California that offers reproductive health care services or gender-affirming health care services.

***** ANALYSIS ADDENDUM – SUSPENSE FILE *****

The following information is revised to reflect amendments
adopted by the committee on May 18, 2023

Fiscal Impact: Unknown court workload cost pressures in order to adjudicate civil violations of this bill's provisions (Trial Court Trust Fund, General Fund).

Author Amendments:

- Prohibit a magistrate from issuing an arrest warrant for an individual whose alleged offense or conviction is for the violation of laws of another state that criminalizes an individual performing, receiving, supporting, or aiding in the performance or receipt of an abortion, contraception, reproductive care, or gender-affirming care if the abortion, contraception, reproductive care, or gender-affirming care is lawful under the laws of this state ("protected health care activities"), regardless of the recipient's location.
- Provide that a bondsman or person authorized to apprehend, detain, or arrest a fugitive admitted to bail in another state who takes into custody a fugitive admitted to bail in another state whose alleged offense or conviction is for the violation of laws of another state that authorizes a criminal penalty to an individual for protected health care activities, without a magistrate's order, is ineligible for a license to be a bail fugitive recovery agent and shall forfeit any license already obtained. Imposes criminal penalties against a bail fugitive recovery agent for apprehending, detaining, or arresting a bail fugitive admitted to bail in another state whose alleged offense or conviction was for the violation of laws of another state that criminalizes protected health care.
- Authorize a person who is taken into custody by a bail agent in violation of this bill's provisions to bring a civil action for injunctive, monetary, or other appropriate relief against the bondsman and bond company within three years.
- Prohibit, except as required by federal law, an officer or employee of a law enforcement agency from providing information or assistance relating to an

investigation or inquiry into services constituting legally protected health care activity to any of the following:

- a federal law enforcement agency;
 - a state law enforcement agency;
 - a private citizen; or
 - a bondsman or person authorized as a bail fugitive recovery agent to apprehend, detain, or arrest a fugitive admitted to bail in another state.
- Prohibit a judge from issuing an order directing a witness to appear as specified, if the criminal prosecution is based on the laws of another state that authorizes a criminal penalty to an individual for protected health care.
- Make clarifying changes.

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