
SUBSTITUTE SENATE BILL 5093

State of Washington

69th Legislature

2025 Regular Session

By Senate Law & Justice (originally sponsored by Senators Dhingra, Wellman, Cleveland, Bateman, Pedersen, C. Wilson, Hasegawa, Lias, Nobles, Salomon, Slatter, Stanford, and Valdez)

READ FIRST TIME 01/24/25.

1 AN ACT Relating to dignity in pregnancy loss; amending RCW
2 68.50.010; adding a new section to chapter 43.70 RCW; creating a new
3 section; and repealing RCW 9.02.050.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that every
6 Washingtonian should be treated with respect and dignity after a
7 pregnancy loss and should be able to seek medical assistance without
8 fear of civil or criminal liability. The threat of criminal
9 prosecution of pregnancy outcomes is partly traceable to out-of-date
10 provisions in state law that allow investigations of certain
11 abortions and pregnancy losses. The legislature further finds that
12 removal of these provisions changes neither requirements to report
13 births or deaths, including fetal deaths, or prepare and publish
14 vital statistics under chapter 70.58A RCW, nor the ability of
15 coroners to investigate deaths, including fetal deaths, that may have
16 been caused by unlawful or suspicious circumstances, including
17 violence against the pregnant person, provided such investigations
18 are not used to criminalize the pregnant person who experienced the
19 pregnancy loss or had an abortion.

1 **Sec. 2.** RCW 68.50.010 and 2021 c 127 s 7 are each amended to
2 read as follows:

3 The jurisdiction of bodies of all deceased persons who come to
4 their death suddenly when in apparent good health without medical
5 attendance within the (~~thirty-six~~) 36 hours preceding death; or
6 where the circumstances of death indicate death was caused by
7 unnatural or unlawful means; or where death occurs under suspicious
8 circumstances; or where a coroner's autopsy or postmortem or
9 coroner's inquest is to be held; or where death results from unknown
10 or obscure causes, or where death occurs within one year following an
11 accident; or where the death is caused by any violence whatsoever,
12 (~~or where death results from a known or suspected abortion;~~)
13 whether self-induced or otherwise; where death apparently results
14 from drowning, hanging, burns, electrocution, gunshot wounds, stabs
15 or cuts, lightning, starvation, radiation, exposure, alcoholism,
16 narcotics or other addictions, tetanus, strangulations, suffocation
17 or smothering; (~~or where death is due to premature birth or still~~
18 ~~birth;~~) or where death is due to a violent contagious disease or
19 suspected contagious disease which may be a public health hazard; or
20 where death results from alleged rape, carnal knowledge or sodomy,
21 where death occurs in a jail or prison; where a body is found dead or
22 is not claimed by relatives or friends, is hereby vested in the
23 county coroner or medical examiner, which bodies may be removed and
24 placed in the morgue under such rules as are adopted by the coroner
25 or medical examiner with the approval of the county commissioners,
26 having jurisdiction, providing therein how the bodies shall be
27 brought to and cared for at the morgue and held for the proper
28 identification where necessary.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70
30 RCW to read as follows:

31 (1) Correctional institutions and private detention facilities
32 shall report annually to the department of health on the aggregate
33 number of people who experience miscarriage, stillbirth, or perinatal
34 loss while confined or incarcerated in such facilities.

35 (2) The department of health shall deliver an annual statewide
36 report to the legislature that details the aggregate number of people
37 who experience miscarriage, stillbirth, or perinatal loss while
38 confined or incarcerated in correctional institutions and private
39 detention facilities. The first report shall be delivered by June 30,

1 2027. The report may not include personal identifying information
2 concerning the individuals who experience miscarriage, stillbirth, or
3 perinatal loss.

4 (3) For purposes of this section:

5 (a) "Correctional institutions" has the same meaning as
6 "correctional institution" as defined in RCW 9.94.049, including any
7 juvenile correctional facility under alternative administration
8 operated by a consortium of counties under RCW 13.04.035.

9 (b) "Private detention facilities" has the same meaning as
10 defined in RCW 70.395.020.

11 NEW SECTION. **Sec. 4.** RCW 9.02.050 (Concealing birth) and 1909 c
12 249 s 200 are each repealed.

--- END ---