CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5093

69th Legislature
2025 Regular Session

Passed by the Senate April 17, 2025
Yeas 30 Nays 19

President of the Senate

Passed by the House April 9, 2025
Yeas 58 Nays 39

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5093** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5093

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

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

READ FIRST TIME 01/24/25.

AN ACT Relating to dignity in pregnancy loss; amending RCW 68.50.010; adding a new section to chapter 43.70 RCW; creating a new section; repealing RCW 9.02.050; and providing an effective date.

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

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 The threat of criminal prosecution of pregnancy outcomes is partly traceable to out-of-date provisions in state law that allow investigations of certain abortions and pregnancy losses.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

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

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

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

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

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

2029. The report may not include personal identifying information concerning the individuals who experience miscarriage, stillbirth, or perinatal loss.

(3) For purposes of this section:

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

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

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

NEW SECTION. **Sec. 5.** Section 3 of this act takes effect July 1, 2027.

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