

2020 SESSION

INTRODUCED

20104139D

SENATE BILL NO. 635

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend the Code of Virginia by adding in Chapter 39 of Title 2.2 a section numbered 2.2-3904, relating to right to reproductive choice.*

Patrons—Surovell, Boysko, Barker, Bell, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Saslaw and Spruill; Delegates: Aird, Askew, Ayala, Bagby, Bourne, Carr, Carroll Foy, Carter, Cole, J.G., Convirs-Fowler, Guy, Heretick, Hope, Jenkins, Jones, Keam, Kory, Krizek, Levine, Lopez, Murphy, Plum, Rasoul, Samirah, Scott, Sickles, Simon, Simonds, Torian, Ward, Watts and Willett

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 39 of Title 2.2 a section numbered 2.2-3904 as follows:

§ 2.2-3904. *Right to reproductive choice.*

A. Every individual has a fundamental right to choose or refuse contraception or sterilization.

B. A pregnant person has a fundamental right to choose to carry a pregnancy to term, give birth to a child, or terminate a pregnancy.

C. The Commonwealth shall not, in the regulation or provision of benefits, facilities, services, or information, deny or interfere with an individual's fundamental rights, including individuals under state control or supervision, to:

1. Choose or refuse contraception or sterilization; or

2. Choose to carry a pregnancy to term, give birth to a child, or terminate a pregnancy.

D. The Commonwealth shall not discriminate in the protection or enforcement of these fundamental rights on the basis of sex, disability, race, ethnicity, gender identity, age, marital status, national origin, immigration status, religion, or sexual orientation.

E. Any state or local official who is charged with violating provisions of this section shall be subject to an action in federal or state court for injunctive relief and damages. Such action may be brought by any person or entity that may be aggrieved by such official's actions.

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