



## ORDINANCE NO. 28858

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND  
2 COUNCIL MEMBERS DIAZ AND RUMBAUGH

3 AN ORDINANCE relating to the City's "Public Safety" code; amending Title 8 of  
4 the Tacoma Municipal Code, "Public Safety," by adding a new Chapter  
5 8.180, entitled "Interference with Health Care Facilities or Providers," to  
6 ensure public health and safety for persons seeking health care  
7 services, and adopting the related Revised Code of Washington by  
8 reference.

9 WHEREAS, in 1991, the people of Washington initiated the Reproductive  
10 Privacy Act, which affirms the fundamental right of persons in Washington State to  
11 privacy with respect to personal reproductive decisions and proscribes the  
12 authority of the state to deny or interfere with a "pregnant individual's right to  
13 choose or refuse to have an abortion," and

14 WHEREAS, in 1993 the legislature codified Chapter 9A.50, Interference  
15 with Health Care Facilities or Providers, in the Revised Code of Washington  
16 ("RCW"), and

17 WHEREAS Chapter 9A.50 RCW finds that "seeking or obtaining health care  
18 is fundamental to public health and safety" and creates criminal penalties for  
19 persons who interfere with access to health care facilities, and

20 WHEREAS, on June 24, 2022, the U.S. Supreme Court issued a decision in  
21 *Dobbs v. Jackson Women's Health Organization* (No. 19-1392) overruling the  
22 constitutional right to an abortion established by *Roe v. Wade*, 410 U.S. 113, and  
23 *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833, and repudiating  
24 a constitutional right to privacy, and  
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WHEREAS *The New York Times* estimates that after the *Dobbs* decision, with current and likely trigger laws banning abortions in up to 24 states, as many as 17 million persons capable of being pregnant would not have access to local abortion services, and

WHEREAS reproductive health organizations estimate that, after *Dobbs*, Washington State will see an increase in persons traveling to the state to seek abortion services, and

WHEREAS the City has an interest in ensuring public health and safety and protecting the privacy interests and personal safety of Tacoma residents and persons who travel to Tacoma to seek health care services not offered in their state, such as abortion services and gender-affirming care, and

WHEREAS, adopting Chapter 9A.50 RCW into Tacoma’s “Public Safety” code will authorize the City Attorney to prosecute the offense in Tacoma Municipal Court; Now, Therefore,

**BE IT ORDAINED BY THE CITY OF TACOMA:**

Section 1. That Title 8 of the Tacoma Municipal Code, “Public Safety,” is hereby amended to add a new Chapter 8.180, entitled “Interference with Health Care Facilities or Providers,” to read as set forth in the attached Exhibit “A.”



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Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



EXHIBIT "A"

TITLE 8  
PUBLIC SAFETY

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- Chapter 8.110 Inhaling Toxic Fumes
- Chapter 8.120 Graffiti
- Chapter 8.122 Noise Enforcement
- Chapter 8.130 Sale Or Distribution Of Deactivated Hand Grenades To Minors
- Chapter 8.140 Regulation Of Purchase/Sale of Ephedrine
- Chapter 8.150 Prohibition Of Sexual Encounter Establishments
- Chapter 8.160 Stay Out Of Drug Areas (SODA) Orders – Violation
- Chapter 8.170 Stay Out Of Areas Of Prostitution (SOAP) Orders – Violation
- [Chapter 8.180 Interference With Health Care Facilities Or Providers](#)

\* \* \*

Chapter 8.180

INTERFERENCE WITH HEALTH CARE FACILITIES OR PROVIDERS

Sections:

[8.180.110](#)

[8.180.020](#)

8.180.010 Purpose and Findings.

The City of Tacoma finds that seeking or obtaining health care is fundamental to public health and safety.

8.180.020 Adoption of State law by Reference.

The following RCW sections as amended are adopted by reference:

[9A.50.010 – Definitions](#)

[9A.50.020 – Interference with health care facility](#)

[9A.50.030 – Penalty](#)

[9A.50.070 – Protection of health care patients and providers](#)

[9A.50.900 – Construction](#)

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