



MARYLAND
CATHOLIC
CONFERENCE

March 28, 2023

Senate Bill 859

Reproductive Health Protection Act

House Judiciary Committee

Position: Unfavorable

The Maryland Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 859 mandates that state employees, including Judges, must not comply with other States' request for help in other States' prosecution or inquiries regarding issues that are defined as "legally protected health care" unless the acts forming the basis of the prosecution or investigation would constitute a crime in Maryland. Legally protected health care is defined as, "reproductive health services, medications, and supplies related to the direct provision or support of the provision of care related to pregnancy, contraception, assisted reproduction, and abortion that is lawful in this State. The legislation does not allow the Governor to surrender a person who violated other States' laws on issues that are defined by Maryland as "legally protected health care", UNLESS compelled by a Federal Court. Senate Bill 859 also prevents any disciplinary action, or changes in insurance rates against a health care practitioner if they are disciplined by another State regarding services Maryland defines as "legally protected health care".

According to the Guttmacher Institute, there were 29,800 abortions in Maryland in 2017. This was a 7% increase between 2014-2017, from 23.4 to 25.0 abortions per 1,000 women of reproductive age. Abortions in Maryland represent 3.5 of all abortions in the United States. Maryland is already a destination in the abortion travel industry, and Maryland already ranks near the very top of States that carry out abortions by percentage of the population. Maryland taxpayers already pay millions in taxes that go to providing abortions for others. This bill will help only increase these trends.

This bill will set a dangerous precedent by running afoul of the Full Faith and Credit Clause of the United States Constitution. Other States may respond in kind and ignore the laws of Maryland. SB859 shields abortion practitioners violating other States' laws from arrest, subpoena, and extradition, and will prevent professional misconduct charges against abortion providers. This bill will not protect or help women; it protects abortion providers, shields people who violate the laws of other States, and promotes Maryland as an abortion destination for others that will result in the taxpayers of Maryland having to pay for even more abortions.

For these reasons, the Maryland Catholic Conference asks for an unfavorable report on **SB 859**.

Thank you for your consideration.