

117TH CONGRESS
2D SESSION

H. R. 8867

To establish a cause of action with respect to reproductive health services,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2022

Ms. SPEIER (for herself, Ms. LEE of California, Ms. LOIS FRANKEL of Florida, Ms. CHU, Mr. CONNOLLY, Mr. CARTER of Louisiana, Mr. MOULTON, Mrs. HAYES, and Mr. KHANNA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a cause of action with respect to reproductive
health services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saving Abortion Facili-
5 ties from Extremists for Patients Act” or the “SAFE for
6 Patients Act”.

1 **SEC. 2. CAUSE OF ACTION WITH RESPECT TO REPRODUC-**
2 **TIVE HEALTH SERVICES.**

3 (a) CAUSE OF ACTION.—Any person may bring a civil
4 action against any person who—

5 (1) intentionally damages or destroys the prop-
6 erty of a facility that provides reproductive health
7 services, or attempts to do so, because such facility
8 provides reproductive health services;

9 (2) by force or threat of force or by physical ob-
10 struction intentionally harasses, injures, intimidates,
11 or interferes with a person because that person is
12 providing or obtaining reproductive health services;
13 or

14 (3) knowingly engages in conduct that aids or
15 abets the performance of an action described pursu-
16 ant to paragraphs (1) or (2).

17 (b) AWARD OF DAMAGES.—If a claimant prevails on
18 an action brought under subsection (a), the court shall
19 award—

20 (1) injunctive relief sufficient to prevent the de-
21 fendant from further violation of subsection (a) or
22 engaging in acts that aid or abet a violation of sub-
23 section (a);

24 (2) statutory damages in an amount of not less
25 than \$10,000 per violation of subsection (a); and

26 (3) costs and attorney's fees.

1 (c) NOT A DEFENSE.—Notwithstanding any other
2 law, the following shall not be a defense for a violation
3 of subsection (a):

4 (1) Ignorance or mistake of law.

5 (2) A defendant’s belief that the requirements
6 of this section are unconstitutional or were unconsti-
7 tutional.

8 (3) A defendant’s reliance on any court decision
9 that has been overruled on appeal or by a subse-
10 quent court, even if that court decision had not been
11 overruled when the defendant engaged in conduct
12 that violates this section.

13 (4) A defendant’s reliance on any State or Fed-
14 eral court decision that is not binding on the court
15 in which the action has been brought.

16 (5) Non-mutual issue preclusion or non-mutual
17 claim preclusion.

18 (d) STATUTE OF LIMITATIONS.—A person may bring
19 an action under this section not later than the four years
20 after the date on which the violation of subsection (a) oc-
21 curred.

22 (e) REPRODUCTIVE HEALTH SERVICES DEFINED.—
23 In this section, the term “reproductive health services”

1 shall have the meaning given such term in section 248
2 of title 18, United States Code.

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