

117TH CONGRESS
2D SESSION

S. 3713

To codify the essential holdings of *Roe v. Wade* (410 U.S. 113 (1973)) and *Planned Parenthood of Southeastern Pennsylvania v. Casey* (505 U.S. 833 (1992)).

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2022

Ms. COLLINS (for herself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To codify the essential holdings of *Roe v. Wade* (410 U.S. 113 (1973)) and *Planned Parenthood of Southeastern Pennsylvania v. Casey* (505 U.S. 833 (1992)).

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 “Reproductive Choice
5 Act”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act to codify the essential
8 holdings of *Roe v. Wade* (410 U.S. 113 (1973)) and

1 Planned Parenthood of Southeastern Pennsylvania v.
2 Casey (505 U.S. 833 (1992)).

3 **SEC. 3. CLARIFICATION OF ALLOWABLE STATE REQUIRE-**
4 **MENTS.**

5 (a) IN GENERAL.—A State—

6 (1) may not impose an undue burden on the
7 ability of a woman to choose whether or not to ter-
8minate a pregnancy before fetal viability;

9 (2) may restrict the ability of a woman to
10 choose whether or not to terminate a pregnancy
11 after fetal viability, unless such a termination is nec-
12essary to preserve the life or health of the woman;
13 and

14 (3) may enact regulations to further the health
15 or safety of a woman seeking to terminate a preg-
16nancy.

17 (b) CLARIFICATION.—For purposes of this Act, un-
18 necessary health regulations that have the purpose or ef-
19fect of presenting a substantial obstacle to a woman seek-
20ing to terminate a pregnancy impose an undue burden.

21 (c) RULE OF CONSTRUCTION.—Nothing in this Act
22 shall be construed to have any effect on laws regarding
23 conscience protection.

24 **SEC. 4. DEFINITIONS.**

25 In this Act:

1 (1) STATE.—The term “State” includes the
2 District of Columbia, the Commonwealth of Puerto
3 Rico, and each other territory or possession of the
4 United States, and any subdivision of any of the
5 foregoing.

6 (2) UNDUE BURDEN.—The term “undue bur-
7 den” means any burden that places a substantial ob-
8 stacle in the path of a woman seeking to terminate
9 a pregnancy prior to fetal viability.

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