

**ASSEMBLY, No. 3418**

---

**STATE OF NEW JERSEY**

**221st LEGISLATURE**

---

INTRODUCED FEBRUARY 1, 2024

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**SYNOPSIS**

Enters New Jersey in Women's Reproductive Health Care Compact.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/5/2024)**

1 AN ACT entering New Jersey in the Women's Reproductive Health  
2 Care Compact and supplementing Title 10 of the Revised  
3 Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. This act shall be known and may be cited as the “Women's  
9 Reproductive Health Care Compact Act.”

10  
11 2. The Governor of New Jersey, on behalf of this State, is  
12 authorized to execute a compact in substantially the following form  
13 with any one or more of the states, districts, or territories of the  
14 United States of America:

15  
16 ARTICLE 1 MEMBERSHIP

17 A state, district, or territory of the United States of America may  
18 become a member state of this compact by enacting this compact.

19  
20 ARTICLE 2 DEFINITIONS

21 As used in this compact:

22 "Member state" means a state, district, or territory of the United  
23 States of America that has entered into this compact.

24 "Reproductive health care services" means a medical, surgical,  
25 counseling, or referral service relating to the human reproductive  
26 system, including services relating to pregnancy or the termination  
27 of a pregnancy.

28  
29 ARTICLE 3 FINDINGS

30 The member states find that:

31 a. In 1973, Roe v. Wade articulated the protection under the  
32 Constitution of the United States of a woman's fundamental right to  
33 make reproductive health care decisions.

34 b. Today, the fundamental right of a woman to make  
35 reproductive health care decisions has been denied to millions of  
36 women across the United States.

37 c. In states that are banning or severely restricting abortion care,  
38 access to reproductive health care services is now threatened.

39 d. States must collect data, protect women's reproductive health  
40 care service delivery, and find ways to work with neighboring states  
41 to protect and defend reproductive rights.

42  
43 ARTICLE 4 PROHIBITIONS

44 A member state shall work with other member states to:

45 a. prevent the extradition or investigation of an individual or  
46 entity involved in the provision or receipt of women's reproductive  
47 health care services;

1       b. prevent the disclosure of records or permitting civil discovery  
2 orders for the provision or receipt of women's reproductive health  
3 care services;

4       c. prevent negative licensing actions or malpractice insurance  
5 increases and clawback lawsuits against individuals or entities for  
6 the provision or receipt of women's reproductive health care  
7 services; and

8       d. prohibit collection of data on:

9       (1) the number of individuals seeking women's reproductive  
10 health care services;

11       (2) the domicile of an individual seeking women's reproductive  
12 health care services;

13       (3) the form of actions taken against women and their medical  
14 providers for seeking out-of-state reproductive health care services;  
15 and

16       (4) barriers identified by women seeking out-of-state  
17 reproductive health care services, including costs for transportation,  
18 lodging, food, child care, and any other relevant issues.

19  
20       ARTICLE 5 EXCLUSIONS

21       The following are not subject to this compact:

22       a. The collection of data not relating to women's reproductive  
23 health care services; and

24       b. The collection of information which would constitute  
25 a violation of:

26       (1) the "Health Insurance Portability and Accountability Act of  
27 1996," Pub.L.104-191; or

28       (2) Any federal or state privacy law.  
29

30       ARTICLE 6 WITHDRAWAL

31       Any member state may withdraw from this compact with six  
32 months' written notice to the chief executive officer of every other  
33 member state to the compact.  
34

35       ARTICLE 7 ENFORCEMENT

36       The attorney general of each member state shall enforce this  
37 compact. A taxpaying resident of any member state has standing in  
38 the courts of any member state to require the attorney general of  
39 that member state to enforce this compact.  
40

41       ARTICLE 8 CONSTRUCTION AND SEVERABILITY

42       This compact shall be liberally construed so as to effectuate its  
43 purposes. If any provision of this compact, or the applicability of  
44 any provision of this compact to any government, agency, person,  
45 or circumstance, is declared in a final judgment by a court of  
46 competent jurisdiction to be contrary to the Constitution of the  
47 United States or is otherwise held invalid, the validity of the  
48 remainder of this compact and the applicability of the remainder of

1 this compact to any government, agency, person, or circumstance  
2 shall not be affected. If this compact is held to be contrary to the  
3 constitution of any member state, the compact shall remain in full  
4 force and effect as to the remaining member states and in full force  
5 and effect as to the affected member state as to all severable  
6 matters.

#### 8 ARTICLE 9 OPERATION

9 When the Governor executes the Women's Reproductive Health  
10 Care Compact on behalf of this State and files a verified copy  
11 thereof with the Secretary of State and when the compact is ratified  
12 by one or more other states, districts, or territories of the United  
13 States of America, the compact shall become operative and  
14 effective between this State and the other states, districts, or  
15 territories of the United States of America. The Governor is  
16 authorized and directed to take action as may be necessary to  
17 complete the exchange of official documents between this State and  
18 any other state, district, or territory of the United States of America  
19 ratifying the compact.

20  
21 3. This act shall take effect 60 days following the date of  
22 enactment.

#### 25 STATEMENT

26  
27 This bill enters New Jersey in the Women's Reproductive Health  
28 Care Compact (compact).

29 Under the bill, a member state is to work with other member  
30 states to: (1) prevent the extradition or investigation of an  
31 individual or entity involved in the provision or receipt of women's  
32 reproductive health care services; (2) prevent the disclosure of  
33 records or permitting civil discovery orders for the provision or  
34 receipt of women's reproductive health care services; (3) prevent  
35 negative licensing actions or malpractice insurance raises and  
36 clawback lawsuits against individuals or entities for the provision or  
37 receipt of women's reproductive health care services; and (4)  
38 prohibit collection of data on: (i) the number of individuals seeking  
39 women's reproductive health care services; (ii) the domicile of an  
40 individual seeking women's reproductive health care services; (iii)  
41 the form of actions taken against women and their medical  
42 providers for seeking out-of-state reproductive health care services;  
43 and (iv) barriers identified by women seeking out-of-state  
44 reproductive health care services, including costs for transportation,  
45 lodging, food and child care and any other relevant issues.

46 The bill provides that the following are not subject to this  
47 compact: (1) the collection of data not relating to women's  
48 reproductive health care services; and (2) the collection of

1 information which would constitute a violation of: (i) the “Health  
2 Insurance Portability and Accountability Act of 1996,” Pub.L.104-  
3 191; or (ii) any federal or state privacy law.

4 Under the bill, any member state may withdraw from this  
5 compact with six months' written notice to the chief executive  
6 officer of every other member state to the compact. The attorney  
7 general of each member state is to enforce this compact. A  
8 taxpayer resident of any member state has standing in the courts of  
9 any member state to require the attorney general of that member  
10 state to enforce this compact.

11 The bill provides that the compact is to be liberally construed so  
12 as to effectuate its purposes. If any provision of this compact, or the  
13 applicability of any provision of this compact to any government,  
14 agency, person, or circumstance, is declared in a final judgment by  
15 a court of competent jurisdiction to be contrary to the Constitution  
16 of the United States or is otherwise held invalid, the validity of the  
17 remainder of this compact and the applicability of the remainder of  
18 this compact to any government, agency, person, or circumstance is  
19 not to be affected. If this compact is held to be contrary to the  
20 constitution of any member state, the compact is to remain in full  
21 force and effect as to the remaining member states and in full force  
22 and effect as to the affected member state as to all severable  
23 matters.