

**Senate Bill 36**  
**Strengthening Safe Haven Protections**  
**Senator Nancy Skinner (D-Berkeley)**

**THIS BILL**

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SB 36 would strengthen California’s safe haven protections by making it illegal for bail agents or bounty hunters to apprehend people in California who are in California to avoid criminal prosecution or imprisonment related to another state’s criminalization of abortion or gender-affirming care.

SB 36 would also prevent California law enforcement officers from assisting the investigation or prosecution of a person when that prosecution is related to enforcing another state’s laws related to abortion, contraception, or gender-affirming care.

**ISSUE**

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Following the U.S. Supreme Court overturning of *Roe v. Wade* in June 2022, the California Legislature passed and the Governor signed a package of bills making California a sanctuary state for abortion services and gender-affirming care. In November 2022, California voters overwhelmingly enacted a constitutional amendment guaranteeing the right to abortion and contraception.

Meanwhile, a growing number of states have laws that put residents who seek essential health care at risk of being prosecuted. Twenty-four states have now criminalized abortion and other reproductive health care. Additionally, four states have enacted laws or regulations banning gender-affirming care, with 15 more states considering legislation to do so, according to the Kaiser Family Foundation.

While recent legislation has done much to legally protect California based healthcare providers and those who receive services in California, we can also act to protect those who may be forced to seek refuge from prosecution by another state that has criminalized reproductive and/or gender affirming health care that is legal in California.

**SOLUTION**

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SB 36 builds on California’s landmark protections by:

- Barring bounty hunters and bail agents in California from apprehending someone who is facing prosecution or imprisonment in another state for providing, receiving, or supporting abortion or gender-affirming care;
- Establishing that a bounty hunter or bail agent who violates the law regulating their conduct, would be guilty of a misdemeanor, face up to a year in jail, lose their California license, and be sued for damages;
- Prohibiting California law enforcement from assisting an out of state investigation or prosecution when it is related to laws providing, receiving, or supporting abortion or gender-affirming care that is legal in California; and
- Ensuring that California will not deny safety net benefits solely on the basis that a person has been charged or convicted in another state for actions related to abortion or gender-affirming health care that are fully legal in California.

**SUPPORT**

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Equality California (Sponsor)  
NARAL California (Sponsor)  
Black Women for Wellness (Sponsor)  
Western Center on Law and Poverty (Sponsor)  
Coalition of California Welfare Rights Organizations (Sponsor)  
VALOR (Sponsor)

**CONTACT**

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