

*Note: This template ordinance was initially prepared for local governments in the state of New York. Adjustments for law and practices in your state should be made accordingly.

Section 1. The Municipal Code is amended to add a new section to read as follows:

§ XXXX Persons not to be detained. a. No city resources, including, but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for:

1) Detaining persons for performing or aiding in the performance of an abortion within this state, or in procuring an abortion in this state, if the abortion is performed in accordance with the provisions of article twenty-five-a of the public health law or any other applicable law of this state, or

2) Cooperating with or providing information to any individual or out-of-state agency or department that is investigating a violation of law criminalization or creating civil liability for pregnancy outcomes, including for example, extradition to another state.

b. The city shall object to any subpoenas or requests for information from any out-of-state entity for the purposes of investigating a violation of law criminalizing or creating civil liability for pregnancy outcomes.

c. Nothing in this section shall prohibit the investigation of any criminal activity in this state, provided that no information relating to any medical procedure performed on a specific individual may be shared with an out-of-state agency or any other individual.

d. Any person detained in violation of this section may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.

§ 2. This local law takes effect immediately.