
HOUSE BILL 2154

State of Washington

66th Legislature

2019 Regular Session

By Representatives Shea, Kraft, Klippert, and Young

Read first time 03/21/19. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to abortion; amending RCW 4.20.005, 7.70.060,
2 9A.16.060, 9A.32.010, 9A.32.060, and 9A.36.021; reenacting and
3 amending RCW 9A.04.110; adding new sections to chapter 9.02 RCW;
4 adding a new section to chapter 43.10 RCW; creating new sections;
5 repealing RCW 9.02.005, 9.02.100, 9.02.110, 9.02.120, 9.02.130,
6 9.02.140, 9.02.150, 9.02.160, 9.02.170, 9.02.900, 9.02.902, and
7 48.43.073; prescribing penalties; and declaring an emergency.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 NEW SECTION. **Sec. 1.** This act may be known and cited as the
10 abolition of abortion in Washington act.

11 NEW SECTION. **Sec. 2.** It is the intent of the legislature to:
12 Provide to unborn children the equal protection of the laws of this
13 state; establish that a living human child, from the moment of
14 fertilization upon the fusion of a human spermatozoon with a human
15 ovum, or in the case of asexual reproduction, at the equivalent stage
16 of development, is entitled to the same rights, powers, privileges,
17 justice, and protections as are secured or granted by the laws of
18 this state to any other human person; and treat as void and of no
19 effect any and all federal acts, laws, treaties, decisions, orders,

1 or regulations that would deprive an unborn child of the right to
2 life or prohibit the protection of such right.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.02 RCW
4 to read as follows:

5 (1) Prosecuting attorneys shall enforce chapters 9A.32 and 9A.36
6 RCW in relation to abortion regardless of any contrary or conflicting
7 federal acts, laws, treaties, decisions, orders, or regulations.

8 (2) For purposes of this section, "abortion" means the act of
9 using or prescribing an instrument, drug, medicine, or any other
10 substance, device, or means to intentionally cause the death of an
11 unborn child. "Abortion" does not include unintentionally causing the
12 death of a human embryo or fetus or conduct that occurs after a
13 natural death of a human embryo or fetus.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.10
15 RCW to read as follows:

16 (1) The attorney general has concurrent authority and power with
17 the prosecuting attorneys to investigate crimes and initiate and
18 conduct prosecutions under chapters 9A.32 and 9A.36 RCW in relation
19 to abortion. The attorney general shall monitor enforcement of
20 chapters 9A.32 and 9A.36 RCW by prosecuting attorneys in Washington
21 state in relation to abortion regardless of any contrary or
22 conflicting federal acts, laws, treaties, decisions, orders, or
23 regulations.

24 (2) Prior to any prosecution by the attorney general under this
25 section, the attorney general and the county in which the offense
26 occurred must reach an agreement regarding the payment of all costs,
27 including expert witness fees, and defense attorneys' fees associated
28 with the prosecution.

29 (3) For purposes of this section, "abortion" means the act of
30 using or prescribing an instrument, drug, medicine, or any other
31 substance, device, or means to intentionally cause the death of an
32 unborn child. "Abortion" does not include unintentionally causing the
33 death of a human embryo or fetus or conduct that occurs after a
34 natural death of a human embryo or fetus.

35 NEW SECTION. **Sec. 5.** A new section is added to chapter 9.02 RCW
36 to read as follows:

1 For purposes of this chapter, "human physical life" means human
2 life beginning when a human ovum is fertilized by a human
3 spermatozoon, or in the case of asexual reproduction, at the
4 equivalent stage of development.

5 NEW SECTION. **Sec. 6.** A new section is added to chapter 9.02 RCW
6 to read as follows:

7 The basis of this state's authority to assert its interest in
8 protecting human physical life from the moment that human physical
9 life begins includes:

10 (1) The tenth amendment to the Constitution of the United States,
11 which provides that all powers not delegated to the United States
12 elsewhere in the Constitution are reserved to the states or to the
13 people;

14 (2) The Declaration of Independence, which acknowledges that life
15 is endowed to all persons as an inalienable right; and

16 (3) The fact that the governments of the United States and this
17 state were instituted by the consent of the people in 1787 and 1889,
18 respectively, to secure the inalienable rights acknowledged by the
19 Declaration of Independence.

20 NEW SECTION. **Sec. 7.** A new section is added to chapter 9.02 RCW
21 to read as follows:

22 (1) Any act, law, treaty, order, or regulation of the United
23 States government that denies or prohibits protection of a human
24 person's inalienable right to life is null, void, and unenforceable
25 in this state.

26 (2) The courts of the United States have no jurisdiction to
27 interfere with this state's interest in protecting human physical
28 life from the moment that human physical life begins.

29 (3) Any court decision purporting to strike down or enjoin the
30 provisions of this chapter or enjoin this state from protecting
31 innocent human physical life from the moment of fertilization is
32 nonauthoritative, void, and of no force.

33 NEW SECTION. **Sec. 8.** A new section is added to chapter 9.02 RCW
34 to read as follows:

35 It is unlawful for any official, agent, or employee of the United
36 States government or an employee of a private entity providing
37 services to the United States government to enforce any act, law,

1 treaty, order, or regulation of the united states government that
2 interferes with this state's interest in protecting human physical
3 life from the moment that human physical life begins.

4 NEW SECTION. **Sec. 9.** A new section is added to chapter 9.02 RCW
5 to read as follows:

6 A prosecuting attorney may seek injunctive relief in the
7 appropriate state court to enjoin any official, agent, or employee of
8 the United States government or an employee of a private entity
9 providing services to the United States government from enforcing any
10 act, law, treaty, order, or regulation of the United States
11 government that interferes with this state's interest in protecting
12 human physical life from the moment that human physical life begins.

13 NEW SECTION. **Sec. 10.** A new section is added to chapter 9.02
14 RCW to read as follows:

15 This state's interest in protecting innocent human physical life
16 from the moment of fertilization must be enforced by state government
17 officials and agencies, regardless of any court decision to the
18 contrary. All state officials and agencies shall comply with this
19 chapter, consistent with the Declaration of Independence, the text of
20 the Constitution of the United States, higher law, and the state
21 Constitution.

22 NEW SECTION. **Sec. 11.** A new section is added to chapter 9.02
23 RCW to read as follows:

24 A government agency or official of this state, including any
25 sheriff, deputy sheriff, or other law enforcement officer, may not
26 give force or effect to any court order that conflicts with this
27 chapter. Cooperative agreements with federal agencies
28 notwithstanding, a law enforcement agency or law enforcement officer
29 in this state may not assist or cooperate in any way with the arrest
30 or imprisonment of any government official or individual who complies
31 with this chapter and refuses to comply with any contrary court
32 order. Such contrary orders include, but are not limited to, any
33 order to levy upon property, seize bank accounts, arrest the person,
34 or serve process for the purpose of causing any person to violate
35 this chapter, or for the purpose of punishing any person for the
36 failure to comply with an order contrary to this chapter. A federal
37 officer or agent who arrests any Washington government official for

1 compliance with this chapter is subject to arrest by Washington law
2 enforcement.

3 **Sec. 12.** RCW 4.20.005 and 1917 c 123 s 3 are each amended to
4 read as follows:

5 Words in RCW 4.20.010, 4.20.020, and 4.20.030 denoting the
6 singular shall be understood as belonging to a plurality of persons
7 or things. The masculine shall apply also to the feminine (~~(, and)~~).
8 The word person ((shall)) includes an unborn child from the moment of
9 fertilization upon the fusion of a human spermatozoon with a human
10 ovum or, in the case of asexual reproduction, at the equivalent stage
11 of development, and also ((apply)) applies to bodies politic and
12 corporate.

13 **Sec. 13.** RCW 7.70.060 and 2012 c 101 s 1 are each amended to
14 read as follows:

15 (1) If a patient while legally competent, or his or her
16 representative if he or she is not competent, signs a consent form
17 which sets forth the following, the signed consent form shall
18 constitute prima facie evidence that the patient gave his or her
19 informed consent to the treatment administered and the patient has
20 the burden of rebutting this by a preponderance of the evidence:

21 (a) A description, in language the patient could reasonably be
22 expected to understand, of:

23 (i) The nature and character of the proposed treatment;
24 (ii) The anticipated results of the proposed treatment;
25 (iii) The recognized possible alternative forms of treatment; and
26 (iv) The recognized serious possible risks, complications, and
27 anticipated benefits involved in the treatment and in the recognized
28 possible alternative forms of treatment, including nontreatment;

29 (b) Or as an alternative, a statement that the patient elects not
30 to be informed of the elements set forth in (a) of this subsection.

31 (2) If a patient while legally competent, or his or her
32 representative if he or she is not competent, signs an acknowledgment
33 of shared decision making as described in this section, such
34 acknowledgment shall constitute prima facie evidence that the patient
35 gave his or her informed consent to the treatment administered and
36 the patient has the burden of rebutting this by clear and convincing
37 evidence. An acknowledgment of shared decision making shall include:

1 (a) A statement that the patient, or his or her representative,
2 and the health care provider have engaged in shared decision making
3 as an alternative means of meeting the informed consent requirements
4 set forth by laws, accreditation standards, and other mandates;

5 (b) A brief description of the services that the patient and
6 provider jointly have agreed will be furnished;

7 (c) A brief description of the patient decision aid or aids that
8 have been used by the patient and provider to address the needs for

9 (i) high-quality, up-to-date information about the condition,
10 including risk and benefits of available options and, if appropriate,
11 a discussion of the limits of scientific knowledge about outcomes;

12 (ii) values clarification to help patients sort out their values and
13 preferences; and (iii) guidance or coaching in deliberation, designed
14 to improve the patient's involvement in the decision process;

15 (d) A statement that the patient or his or her representative
16 understands: The risk or seriousness of the disease or condition to
17 be prevented or treated; the available treatment alternatives,
18 including nontreatment; and the risks, benefits, and uncertainties of
19 the treatment alternatives, including nontreatment; and

20 (e) A statement certifying that the patient or his or her
21 representative has had the opportunity to ask the provider questions,
22 and to have any questions answered to the patient's satisfaction, and
23 indicating the patient's intent to receive the identified services.

24 (3) As used in this section, "shared decision making" means a
25 process in which the physician or other health care practitioner
26 discusses with the patient or his or her representative the
27 information specified in subsection (2) of this section with the use
28 of a patient decision aid and the patient shares with the provider
29 such relevant personal information as might make one treatment or
30 side effect more or less tolerable than others.

31 (4)(a) As used in this section, "patient decision aid" means a
32 written, audiovisual, or online tool that provides a balanced
33 presentation of the condition and treatment options, benefits, and
34 harms, including, if appropriate, a discussion of the limits of
35 scientific knowledge about outcomes, for any medical condition or
36 procedure (~~(, including abortion as defined in RCW 9.02.170)~~) and:

37 (i)(A) That is certified by one or more national certifying
38 organizations recognized by the medical director of the health care
39 authority; or

1 (B) That has been evaluated based on the international patient
2 decision aid standards by an organization located in the United
3 States or Canada and has a current overall score satisfactory to the
4 medical director of the health care authority; or

5 (ii) That, if a current evaluation is not available from an
6 organization located in the United States or Canada, the medical
7 director of the health care authority has independently assessed and
8 certified based on the international patient decision aid standards.

9 (b) The health care authority may charge a fee to the
10 certification applicant to defray the costs of the assessment and
11 certification under this subsection.

12 (5) Failure to use a form or to engage in shared decision making,
13 with or without the use of a patient decision aid, shall not be
14 admissible as evidence of failure to obtain informed consent. There
15 shall be no liability, civil or otherwise, resulting from a health
16 care provider choosing either the signed consent form set forth in
17 subsection (1)(a) of this section or the signed acknowledgment of
18 shared decision making as set forth in subsection (2) of this
19 section.

20 **Sec. 14.** RCW 9A.04.110 and 2011 c 336 s 350 and 2011 c 166 s 2
21 are each reenacted and amended to read as follows:

22 In this title unless a different meaning plainly is required:

23 (1) "Acted" includes, where relevant, omitted to act;

24 (2) "Actor" includes, where relevant, a person failing to act;

25 (3) "Benefit" is any gain or advantage to the beneficiary,
26 including any gain or advantage to a third person pursuant to the
27 desire or consent of the beneficiary;

28 (4)(a) "Bodily injury," "physical injury," or "bodily harm" means
29 physical pain or injury, illness, or an impairment of physical
30 condition;

31 (b) "Substantial bodily harm" means bodily injury which involves
32 a temporary but substantial disfigurement, or which causes a
33 temporary but substantial loss or impairment of the function of any
34 bodily part or organ, or which causes a fracture of any bodily part;

35 (c) "Great bodily harm" means bodily injury which creates a
36 probability of death, or which causes significant serious permanent
37 disfigurement, or which causes a significant permanent loss or
38 impairment of the function of any bodily part or organ;

1 (5) "Building," in addition to its ordinary meaning, includes any
2 dwelling, fenced area, vehicle, railway car, cargo container, or any
3 other structure used for lodging of persons or for carrying on
4 business therein, or for the use, sale, or deposit of goods; each
5 unit of a building consisting of two or more units separately secured
6 or occupied is a separate building;

7 (6) "Deadly weapon" means any explosive or loaded or unloaded
8 firearm, and shall include any other weapon, device, instrument,
9 article, or substance, including a "vehicle" as defined in this
10 section, which, under the circumstances in which it is used,
11 attempted to be used, or threatened to be used, is readily capable of
12 causing death or substantial bodily harm;

13 (7) "Dwelling" means any building or structure, though movable or
14 temporary, or a portion thereof, which is used or ordinarily used by
15 a person for lodging;

16 (8) "Government" includes any branch, subdivision, or agency of
17 the government of this state and any county, city, district, or other
18 local governmental unit;

19 (9) "Governmental function" includes any activity which a public
20 servant is legally authorized or permitted to undertake on behalf of
21 a government;

22 (10) "Indicted" and "indictment" include "informed against" and
23 "information", and "informed against" and "information" include
24 "indicted" and "indictment";

25 (11) "Judge" includes every judicial officer authorized alone or
26 with others, to hold or preside over a court;

27 (12) "Malice" and "maliciously" shall import an evil intent,
28 wish, or design to vex, annoy, or injure another person. Malice may
29 be inferred from an act done in willful disregard of the rights of
30 another, or an act wrongfully done without just cause or excuse, or
31 an act or omission of duty betraying a willful disregard of social
32 duty;

33 (13) "Officer" and "public officer" means a person holding office
34 under a city, county, or state government, or the federal government
35 who performs a public function and in so doing is vested with the
36 exercise of some sovereign power of government, and includes all
37 assistants, deputies, clerks, and employees of any public officer and
38 all persons lawfully exercising or assuming to exercise any of the
39 powers or functions of a public officer;

40 (14) "Omission" means a failure to act;

1 (15) "Peace officer" means a duly appointed city, county, or
2 state law enforcement officer;

3 (16) "Pecuniary benefit" means any gain or advantage in the form
4 of money, property, commercial interest, or anything else the primary
5 significance of which is economic gain;

6 (17) "Person," "he or she," and "actor" include any natural
7 person, including an unborn child at every stage of gestation from
8 fertilization upon the fusion of a human spermatozoon with a human
9 ovum, or in the case of asexual reproduction, at the equivalent stage
10 of development, until birth, and, where relevant, a corporation,
11 joint stock association, or an unincorporated association;

12 (18) "Place of work" includes but is not limited to all the lands
13 and other real property of a farm or ranch in the case of an actor
14 who owns, operates, or is employed to work on such a farm or ranch;

15 (19) "Prison" means any place designated by law for the keeping
16 of persons held in custody under process of law, or under lawful
17 arrest, including but not limited to any state correctional
18 institution or any county or city jail;

19 (20) "Prisoner" includes any person held in custody under process
20 of law, or under lawful arrest;

21 (21) "Projectile stun gun" means an electronic device that
22 projects wired probes attached to the device that emit an electrical
23 charge and that is designed and primarily employed to incapacitate a
24 person or animal;

25 (22) "Property" means anything of value, whether tangible or
26 intangible, real or personal;

27 (23) "Public servant" means any person other than a witness who
28 presently occupies the position of or has been elected, appointed, or
29 designated to become any officer or employee of government, including
30 a legislator, judge, judicial officer, juror, and any person
31 participating as an advisor, consultant, or otherwise in performing a
32 governmental function;

33 (24) "Signature" includes any memorandum, mark, or sign made with
34 intent to authenticate any instrument or writing, or the subscription
35 of any person thereto;

36 (25) "Statute" means the Constitution or an act of the
37 legislature or initiative or referendum of this state;

38 (26) "Strangulation" means to compress a person's neck, thereby
39 obstructing the person's blood flow or ability to breathe, or doing

1 so with the intent to obstruct the person's blood flow or ability to
2 breathe;

3 (27) "Suffocation" means to block or impair a person's intake of
4 air at the nose and mouth, whether by smothering or other means, with
5 the intent to obstruct the person's ability to breathe;

6 (28) "Threat" means to communicate, directly or indirectly the
7 intent:

8 (a) To cause bodily injury in the future to the person threatened
9 or to any other person; or

10 (b) To cause physical damage to the property of a person other
11 than the actor; or

12 (c) To subject the person threatened or any other person to
13 physical confinement or restraint; or

14 (d) To accuse any person of a crime or cause criminal charges to
15 be instituted against any person; or

16 (e) To expose a secret or publicize an asserted fact, whether
17 true or false, tending to subject any person to hatred, contempt, or
18 ridicule; or

19 (f) To reveal any information sought to be concealed by the
20 person threatened; or

21 (g) To testify or provide information or withhold testimony or
22 information with respect to another's legal claim or defense; or

23 (h) To take wrongful action as an official against anyone or
24 anything, or wrongfully withhold official action, or cause such
25 action or withholding; or

26 (i) To bring about or continue a strike, boycott, or other
27 similar collective action to obtain property which is not demanded or
28 received for the benefit of the group which the actor purports to
29 represent; or

30 (j) To do any other act which is intended to harm substantially
31 the person threatened or another with respect to his or her health,
32 safety, business, financial condition, or personal relationships;

33 (29) "Vehicle" means a "motor vehicle" as defined in the vehicle
34 and traffic laws, any aircraft, or any vessel equipped for propulsion
35 by mechanical means or by sail;

36 (30) Words in the present tense shall include the future tense;
37 and in the masculine shall include the feminine and neuter genders;
38 and in the singular shall include the plural; and in the plural shall
39 include the singular.

1 **Sec. 15.** RCW 9A.16.060 and 1999 c 60 s 1 are each amended to
2 read as follows:

3 (1) In any prosecution for a crime, it is a defense that:

4 (a) The actor participated in the crime under compulsion by
5 another who by threat or use of force created an apprehension in the
6 mind of the actor that in case of refusal he or she or another would
7 be liable to immediate death or immediate grievous bodily injury; and

8 (b) That such apprehension was reasonable upon the part of the
9 actor; and

10 (c) That the actor would not have participated in the crime
11 except for the duress involved.

12 (2) Except for homicide by abortion under RCW 9A.32.010, the
13 defense of duress is not available if the crime charged is murder,
14 manslaughter, or homicide by abuse.

15 (3) The defense of duress is not available if the actor
16 intentionally or recklessly places himself or herself in a situation
17 in which it is probable that he or she will be subject to duress.

18 (4) The defense of duress is not established solely by a showing
19 that a married person acted on the command of his or her spouse.

20 **Sec. 16.** RCW 9A.32.010 and 1997 c 196 s 3 are each amended to
21 read as follows:

22 (1) Homicide is the killing of a human being by the act,
23 procurement, or omission of another, death occurring at any time, and
24 is either ~~((+1))~~ (a) murder, ~~((+2))~~ (b) homicide by abuse, ~~((+3))~~
25 (c) manslaughter, ~~((+4))~~ (d) excusable homicide, or ~~((+5))~~ (e)
26 justifiable homicide.

27 (2) Homicide includes the killing of a natural person by
28 abortion, which is the act of using or prescribing an instrument,
29 drug, medicine, or any other substance, device, or means to
30 intentionally cause the death of an unborn child.

31 (3) (a) It is an affirmative defense to any prosecution brought
32 under this section that the medical practitioner was attempting to
33 save the life of a pregnant patient and that attempt resulted in the
34 unintended death of the human embryo or fetus.

35 **Sec. 17.** RCW 9A.32.060 and 2011 c 336 s 357 are each amended to
36 read as follows:

37 (1) A person is guilty of manslaughter in the first degree
38 when(÷

1 ~~(a))~~ he or she recklessly causes the death of another person(~~(~~
2 ~~or~~

3 ~~(b) He or she intentionally and unlawfully kills an unborn quick~~
4 ~~child by inflicting any injury upon the mother of such child)~~).

5 (2) Manslaughter in the first degree is a class A felony.

6 **Sec. 18.** RCW 9A.36.021 and 2011 c 166 s 1 are each amended to
7 read as follows:

8 (1) A person is guilty of assault in the second degree if he or
9 she, under circumstances not amounting to assault in the first
10 degree:

11 (a) Intentionally assaults another and thereby recklessly
12 inflicts substantial bodily harm; or

13 ~~(b) ((Intentionally and unlawfully causes substantial bodily harm~~
14 ~~to an unborn quick child by intentionally and unlawfully inflicting~~
15 ~~any injury upon the mother of such child; or~~

16 ~~(c))~~ Assaults another with a deadly weapon; or

17 ~~((d))~~ (c) With intent to inflict bodily harm, administers to or
18 causes to be taken by another, poison or any other destructive or
19 noxious substance; or

20 ~~((e))~~ (d) With intent to commit a felony, assaults another; or

21 ~~((f))~~ (e) Knowingly inflicts bodily harm which by design causes
22 such pain or agony as to be the equivalent of that produced by
23 torture; or

24 ~~((g))~~ (f) Assaults another by strangulation or suffocation.

25 (2) (a) Except as provided in (b) of this subsection, assault in
26 the second degree is a class B felony.

27 (b) Assault in the second degree with a finding of sexual
28 motivation under RCW 9.94A.835 or 13.40.135 is a class A felony.

29 NEW SECTION. **Sec. 19.** The following acts or parts of acts are
30 each repealed:

31 (1) RCW 9.02.005 (Transfer of duties to the department of health)
32 and 1989 1st ex.s. c 9 s 202 & 1985 c 213 s 3;

33 (2) RCW 9.02.100 (Reproductive privacy—Public policy) and 1992 c
34 1 s 1;

35 (3) RCW 9.02.110 (Right to have and provide) and 1992 c 1 s 2;

36 (4) RCW 9.02.120 (Unauthorized abortions—Penalty) and 1992 c 1 s
37 3;

38 (5) RCW 9.02.130 (Defenses to prosecution) and 1992 c 1 s 4;

- 1 (6) RCW 9.02.140 (State regulation) and 1992 c 1 s 5;
2 (7) RCW 9.02.150 (Refusing to perform) and 1992 c 1 s 6;
3 (8) RCW 9.02.160 (State-provided benefits) and 1992 c 1 s 7;
4 (9) RCW 9.02.170 (Definitions) and 1992 c 1 s 8;
5 (10) RCW 9.02.900 (Construction—1992 c 1 (Initiative Measure No.
6 120)) and 1992 c 1 s 10;
7 (11) RCW 9.02.902 (Short title—1992 c 1 (Initiative Measure No.
8 120)) and 1992 c 1 s 12; and
9 (12) RCW 48.43.073 (Required abortion coverage—Limitations) and
10 2018 c 119 s 3.

11 NEW SECTION. **Sec. 20.** In any case related to this act, as in
12 all other criminal cases, a court on motion of the prosecuting
13 attorney may order that a witness is not excused from giving
14 testimony or producing any papers, documents, or things, on the
15 ground that such testimony may tend to incriminate or subject the
16 witness to a penalty or forfeiture; but such witness may not be
17 prosecuted or subjected to criminal penalty or forfeiture for or on
18 account of any transaction, matter, or fact concerning which the
19 witness has been ordered to testify. The prosecuting attorney has
20 authority to grant that immunity to a witness who voluntarily agrees
21 to give testimony or produce any papers, documents, or things. The
22 witness may nevertheless be prosecuted for failing to comply with the
23 order to answer, or for perjury or the giving of false evidence.

24 NEW SECTION. **Sec. 21.** The provisions of this act are not
25 severable.

26 NEW SECTION. **Sec. 22.** This act applies prospectively and not
27 retroactively. It applies only to offenses committed, or causes of
28 action that arise, on or after the effective date of this section.
29 For purposes of this section, an offense is committed before the
30 effective date of this section if any element of the offense occurs
31 before the effective date of this section.

32 NEW SECTION. **Sec. 23.** Any federal act, law, treaty, decision,
33 order, or regulation that purports to supersede, stay, or overrule
34 this act is in violation of the Constitution of the state of
35 Washington and the Constitution of the United States of America and

1 is therefore void. The state of Washington and its political
2 subdivisions, and agents thereof, may not enter an appearance,
3 special or otherwise, in any federal suit challenging this act.

4 NEW SECTION. **Sec. 24.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of
6 the state government and its existing public institutions, and takes
7 effect immediately.

--- END ---