

RESOLUTION NO. 68-2022 (PSH), *First Reading*

By Councilor Moore

A Resolution expressing this Council's strong opposition to proposed Ohio Senate Bill 123 and proposed Ohio House Bills 480 and 598; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is anticipated, based on a leaked draft opinion, that the United States Supreme Court may be poised to reverse *Roe v. Wade*, 410 U.S. 113 (1973); and

WHEREAS, various Bills have been introduced in the Ohio Legislature to ban all abortions at any time after conception in the State of Ohio if *Roe v. Wade* is reversed with no exceptions for cases of rape, incest, or a mother's medical condition; and

WHEREAS, SB 123, which is based on a Texas law which is currently in litigation, would criminalize the manufacture, distribution, or advertisement of drugs, medicine, or instruments to terminate a pregnancy, and provides a mechanism by which any private party with no legal interest may sue a party involved in an abortion for \$10,000.00 damages, court costs, and reasonable attorney's fees; and

WHEREAS, physicians could lose their medical licenses under this bill, which would intrude upon the physician/patient relationship and could inhibit or delay medical treatment even for pregnancy-related conditions such as miscarriages and ectopic pregnancies in which no termination of pregnancy is desired; and

WHEREAS, in the House, HB 480 would make abortion illegal at any stage of pregnancy and extend all protections under Ohio law for "persons" to fertilized eggs starting at conception; and

WHEREAS, similarly, pending HB 598 would ban all abortions at any stage of pregnancy without exceptions upon the United States Supreme Court's overturning of *Roe v. Wade*; and

WHEREAS, the proposed bans will negatively impact the ability of low-and moderate-income pregnant persons to pursue education and career goals, and maintain economic stability for their existing children; and

WHEREAS, the proposed bans will result in possibly-permanent health complications or even the deaths of many mothers, as was the case prior to 1973; and

WHEREAS, the proposed bans impermissibly impair the ability of pregnant persons to freely exercise their own religious and spiritual beliefs, and constitute a Constitutionally-impermissible establishment of religion.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council expresses its strong opposition to Ohio Senate Bill 123 and House Bills 480 and 598, as it believes pregnant persons should be entitled to make the best decisions for themselves and their families in consultation with their physicians and other medical providers and according to their religious and spiritual beliefs, without interference from the government.

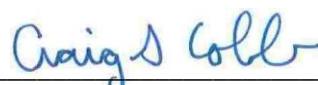
SECTION 2. The Clerk of Council is directed to forward copies of this resolution to the Ohio Governor, the President of the Ohio Senate, and the Speaker of the Ohio House of Representatives.

SECTION 3. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to express its opposition to proposed Ohio Senate Bill 123 and proposed Ohio House Bills 480 and 598 in a timely manner. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



MELODY JOY HART
President of the Council



CRAIG COBB
Clerk of Council, Pro Tem

PASSED: June 6, 2022

Presented to Mayor: June 7, 2022

Approved: June 7, 2022

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KAHLIL SEREN
Mayor