

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2260

STATE OF NEW JERSEY
222nd LEGISLATURE

ADOPTED MAY 11, 2026

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Senator NICHOLAS P. SCUTARI

District 22 (Somerset and Union)

Co-Sponsored by:

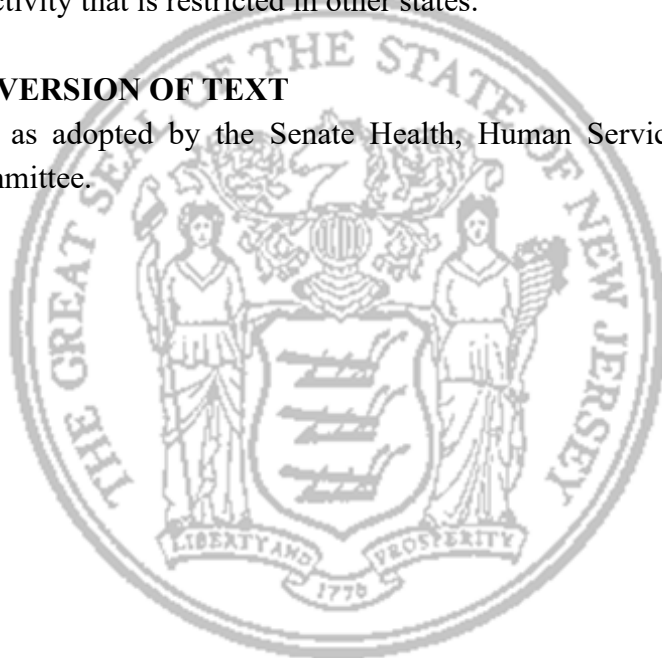
Senators Burgess, Zwicker, Mukherji, Burzichelli, McKnight, Gopal, McKeon, Diegnan, Stack, Timberlake, Wimberly, Cruz-Perez, Johnson, Greenstein, Lagana, B.Smith and Turner

SYNOPSIS

Secures protections for patients and providers accessing and providing reproductive health care services; establishes right of residents to reproductive health care activity that is restricted in other states.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Health, Human Services and Senior Citizens Committee.



1 AN ACT concerning reproductive rights and amending and
2 supplementing various parts of the statutory law.

3

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

6

7 1. (New section) As used in P.L. , c. (C.) (pending
8 before the Legislature as this bill):

9 “Assisted reproductive technology” shall mean the same as
10 defined in section 3 of P.L.2018, c.18 (C.9:17-62).

11 “Driveway” means an entry from a public street to a public or
12 private parking area used by a health care services facility.

13 “Entrance” means a door to a health care services facility that
14 directly abuts the public sidewalk; provided, however, that if the door
15 does not directly abut the public sidewalk, the “entrance” shall be the
16 point at which the public sidewalk intersects with a pathway leading
17 to the door.

18 “Gathering” means two or more individuals.

19 “Health care services facility” includes a hospital, clinic, office, or
20 other site that provides or seeks to provide health care services and
21 includes the building or structure in which the facility is located and
22 the driveway of such building or structure.

23 “Impede” means to obstruct, block, detain, or render passage
24 impossible, unsafe, or unreasonably difficult.

25 “Intimidate” means to place a person in reasonable apprehension
26 of bodily harm to themselves or to another.

27 “Physical obstruction” means rendering ingress to or egress from
28 a health care services facility impassable to another person, or
29 rendering passage to or from a health care services facility
30 unreasonably difficult or hazardous to another person.

31 “Reproductive health care activity” means any conduct related to
32 providing, seeking, receiving, advising, aiding, facilitating,
33 encouraging, referring for, assisting with, providing material support
34 for, or inquiring about reproductive health care services that are
35 lawful in this State. “Reproductive health care activity” shall not
36 include any conduct that could form the basis of a civil, criminal, or
37 administrative action under the laws of this State.

38 “Reproductive health care services” means all supplies, care, and
39 services of a medical, surgical, psychiatric, therapeutic, diagnostic,
40 mental health, behavioral health, preventative, rehabilitative,
41 support, consultative, prescribing, or dispensing services relating to
42 the human reproductive system, whether provided in person or by
43 means of telehealth, in compliance with New Jersey law.
44 “Reproductive health care services” shall include, but not be limited
45 to, all services, care, and products relating to pregnancy, assisted
46 reproduction technology, contraception, miscarriage management, or

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 abortion, and all supplies, care, and services of a medical, surgical,
2 psychiatric, therapeutic, diagnostic, mental health, behavioral health,
3 preventative, rehabilitative, supportive, consultative, prescribing, or
4 dispensing or supportive nature, including medication, to support a
5 person's alignment with their gender identity or expression and
6 delivered or overseen in accordance with the accepted standard of
7 care, pursuant to subparagraphs (a) and (b) of paragraph (4) of
8 subsection b. of section 2 of P.L.2017, c.176 (C.17:48A-711).
9 "Reproductive health care services" shall not include any conduct
10 that would constitute a violation of any law of this State, and shall
11 not include any service described in section 2 of P.L.2013, c.150
12 (C.45:1-55).

13 "Social media" means an electronic service or account, or
14 electronic content, including, but not limited to, videos or still
15 photographs, blogs, video blogs, podcasts, instant and text messages,
16 email, online services or accounts, or Internet website profiles or
17 locations.

18
19 2. Section 9 of P.L.1978, c.73 (C.45:1-22) is amended to read as
20 follows:

21 9. In addition or as an alternative, as the case may be, to
22 revoking, suspending or refusing to renew any license, registration
23 or certificate issued by it, a board may, after affording an opportunity
24 to be heard:

25 a. Issue a letter of warning, reprimand, or censure with regard to
26 any act, conduct or practice which in the judgment of the board upon
27 consideration of all relevant facts and circumstances does not warrant
28 the initiation of formal action;

29 b. Assess civil penalties in accordance with this act;

30 c. Order that any person violating any provision of an act or
31 regulation administered by such board to cease and desist from future
32 violations thereof or to take such affirmative corrective action as may
33 be necessary with regard to any act or practice found unlawful by the
34 board;

35 d. Order any person found to have violated any provision of an
36 act or regulation administered by such board to restore to any person
37 aggrieved by an unlawful act or practice, any moneys or property,
38 real or personal, acquired by means of such act or practice; provided,
39 however, no board shall order restoration in a dollar amount greater
40 than those moneys received by a licensee or his agent or any other
41 person violating the act or regulation administered by the board;

42 e. Order any person, as a condition for continued, reinstated or
43 renewed licensure, to secure medical or such other professional
44 treatment as may be necessary to properly discharge licensee
45 functions;

46 f. Order any person, as a condition for continued, reinstated or
47 renewed licensure, to submit to any medical or diagnostic testing and
48 monitoring or psychological evaluation which may be required to

1 evaluate whether continued practice may jeopardize the safety and
2 welfare of the public;

3 g. Order any person, as a condition for continued, reinstated or
4 renewed licensure, to submit to an assessment of skills to determine
5 whether the licensee can continue to practice with reasonable skill
6 and safety, and to take and successfully complete educational
7 training determined by the board to be necessary;

8 h. Order any person, as a condition for continued, reinstated or
9 renewed licensure, to submit to an assessment of skills to determine
10 whether the licensee can continue to practice with reasonable skill
11 and safety, and to submit to any supervision, monitoring or limitation
12 on practice determined by the board to be necessary.

13 A board may, upon a duly verified application of the Attorney
14 General that either provides proof of a conviction of a court of
15 competent jurisdiction for a crime or offense involving moral
16 turpitude or relating adversely to the regulated profession or
17 occupation, or alleges an act or practice violating any provision of an
18 act or regulation administered by such board, enter a temporary order
19 suspending or limiting any license issued by the board pending
20 plenary hearing on an administrative complaint; provided, however,
21 no such temporary order shall be entered unless the application made
22 to the board palpably demonstrates a clear and imminent danger to
23 the public health, safety and welfare and notice of such application is
24 given to the licensee affected by such order. If, upon review of the
25 Attorney General's application, the board determines that, although
26 no palpable demonstration of a clear and imminent danger has been
27 made, the licensee's continued unrestricted practice pending plenary
28 hearing may pose a risk to the public health, safety and welfare, the
29 board may order the licensee to submit to medical or diagnostic
30 testing and monitoring, or psychological evaluation, or an assessment
31 of skills to determine whether the licensee can continue to practice
32 with reasonable skill and safety.

33 In any administrative proceeding commenced on a complaint
34 alleging a violation of an act or regulation administered by a board,
35 such board may issue subpoenas to compel the attendance of
36 witnesses or the production of books, records, or documents at the
37 hearing on the complaint.

38 Notwithstanding any provision of law to the contrary, a board
39 shall not impose any penalties pursuant to this section on the holder
40 of a certificate, registration, or license based solely on the holder
41 engaging in reproductive health care activity, as defined in section 1
42 of P.L. , c. (C.) (pending before the Legislature as this bill).
43 (cf: P.L.2001, c.307, s.2)

44
45 3. Section 1 of P.L.2022, c.51 (C.2A:84A-22.18) is amended to
46 read as follows:

47 1. As used in sections 1 and 2 of P.L.2022, c.51 (C.2A:84A-
48 22.18 and C.2A:84A-22.19):

1 "Person" includes an individual, partnership, association, limited
2 liability company, or corporation.

3 "Reproductive health care **【services】**" means all medical, surgical,
4 counseling, or referral services relating to the human reproductive
5 system including, but not limited to, services relating to pregnancy,
6 contraception, or termination of a pregnancy **【activity】** shall have the
7 same meaning as provided in section 1 of P.L. , c. (C.)
8 (pending before the Legislature as this bill).

9 a. Except as provided in sections 3 through 7 of P.L.1968, c.185
10 (C.2A:84A-22.3 through 2A:84A-22.7), section 1 of P.L.1970, c. 313
11 (C.2A:84A-22.8), section 29 of P.L.1968, c.401 (C.45:8B-29), and
12 subsection b. of this section, in any civil action or proceeding
13 preliminary thereto or in any probate, legislative or administrative
14 proceeding, a covered entity, as set forth in the medical privacy and
15 security rules pursuant to Parts 160 and 164 of Subchapter C of
16 Subtitle A of Title 45 of the Code of Federal Regulations, established
17 pursuant to the "Health Insurance Portability and Accountability Act
18 of 1996," Pub.L.104-191, shall not disclose, unless the patient or that
19 patient's conservator, guardian, or other authorized legal
20 representative explicitly consents in writing to the disclosure:

21 (1) any communication made to the covered entity, or any
22 information obtained by the covered entity from, a patient or the
23 conservator, guardian, or other authorized legal representative of a
24 patient relating to reproductive health care **【services】** activity that
25 **【are】** is permitted under the laws of this State; or

26 (2) any information obtained by personal examination of a patient
27 relating to reproductive health care **【services】** activity that **【are】** is
28 permitted under the laws of this State.

29 A covered entity shall inform the patient or the patient's
30 conservator, guardian, or other authorized legal representative of the
31 patient's right to withhold such written consent at or before the time
32 reproductive health care **【services are】** activity is rendered or at such
33 time as the patient discloses any information relating to reproductive
34 health care **【services】** activity that **【have been】** was previously
35 rendered.

36 b. Written consent of the patient or the patient's conservator,
37 guardian, or other authorized legal representative shall not be
38 required for the disclosure of any communication or information:

39 (1) pursuant to the laws of this State or the Rules of Court;

40 (2) by a covered entity against whom a claim has been made, or
41 there is a reasonable belief that a claim will be made, in an action or
42 proceeding, to the covered entity's attorney or professional liability
43 insurer or insurer's agent for use in the defense of the action or
44 proceeding;

45 (3) to the Commissioner of Health, Human Services, or Banking
46 and Insurance, or any professional licensing board operating under
47 the authority of the Division of Consumer Affairs in the Department

1 of Law and Public Safety for records of a patient of a covered entity
2 in connection with an investigation of a complaint, if the records are
3 related to the complaint; or

4 (4) if child abuse, abuse of an elderly individual, abuse of an
5 individual who is incapacitated, or abuse of an individual with a
6 physical or mental disability is known or in good faith suspected. For
7 the purposes of this paragraph, **the provision of or material support**
8 **for** reproductive health care **services** activity that **are** is
9 permitted under the laws of this State shall not constitute abuse.

10 Nothing in this subsection shall be construed to conflict with or
11 displace any requirements or conditions for disclosure set forth under
12 45 C.F.R. ss.160.203 and 164.514.

13 c. Nothing in this section shall be construed to impede the lawful
14 sharing of medical records as permitted by State or federal law or the
15 Rules of Court.

16 (cf: P.L.2022, c.51, s.1)

17

18 4. Section 17 of P.L.2004, c.17 (C.17:30D-22) is amended to
19 read as follows:

20 17. a. Notwithstanding any other law or regulation to the contrary,
21 an insurer authorized to transact medical malpractice liability
22 insurance in this State shall not increase the premium of any medical
23 malpractice liability insurance policy based on a claim of medical
24 negligence or malpractice against the insured if the insured is
25 dismissed from an action alleging medical malpractice within 180
26 days of the filing of the last responsive pleading.

27 b. An insurer authorized to transact medical malpractice liability
28 insurance in this State shall not take any adverse action, including
29 but not limited to, loss or denial of coverage, or imposition of
30 sanctions, fines, penalties, or rate increases, against an insured
31 licensed, certified, or registered in this State for reproductive health
32 care activity based on the fact that the patient receiving the service is
33 a resident of a state where those services are illegal, or based on a
34 revocation of an insured's license from another state or other
35 disciplinary action by another state that resulted solely from an
36 insured's reproductive health care activity, if the revocation or
37 disciplinary action was based on a violation of the other state's law
38 prohibiting the reproductive health care activity.

39 (cf: P.L.2004, c.17, s.17)

40

41 5. (New section) a. A person is guilty of interference with
42 reproductive health care services if the person purposely or
43 knowingly:

44 (1) inflicts or attempts to inflict bodily injury on another person,
45 with purpose to unlawfully restrict another's access to or receipt or
46 provision of reproductive health care services or to intimidate the
47 person from becoming or remaining a patient, provider, volunteer, or

- 1 assistant of reproductive health care services, if the conduct would
2 cause a reasonable person to be intimidated;
- 3 (2) physically obstructs any person seeking to enter into or exit
4 from a health care services facility, with the purpose to unlawfully
5 restrict another's access to or receipt or provision of reproductive
6 health care services or to intimidate the person from becoming or
7 remaining a patient, provider, volunteer, or assistant of reproductive
8 health care services, if the conduct would cause a reasonable person
9 to be intimidated;
- 10 (3) intimidates, threatens, or coerces, or attempts to intimidate,
11 threaten, or coerce, any person or entity:
- 12 (a) because that person or entity is a reproductive health care
13 services patient, provider, volunteer, or assistant; or
- 14 (b) in order to intimidate a person or entity, or a class of persons
15 or entities, from becoming or remaining a patient, provider,
16 volunteer, or assistant of reproductive health care services; or
- 17 (4) damages, defaces, or destroys the property of a person, entity,
18 or facility, or attempts to do so, because the person, entity, or facility
19 provides, volunteers, assists with, or receives reproductive health
20 care services; or
- 21 (5) causes a reasonable person to suffer damage to the person's
22 business or personal reputation, financial harm, or pain and suffering,
23 mental anguish, or emotional harm on the basis that the person,
24 entity, or facility provides, volunteers, assists with, or receives
25 reproductive health care services.
- 26 b. Interference with reproductive health care services is a crime
27 of the fourth degree, except that:
- 28 (1) it is a crime of the third degree if the victim suffers bodily
29 injury; and
- 30 (2) it is a crime of the second degree if the victim suffers
31 significant bodily injury or serious bodily injury.
- 32 c. Nothing in this section shall be construed to preclude or limit
33 in any way prosecution and conviction for any other offense
34 including, but not limited to, prosecution and conviction for assault
35 or aggravated assault pursuant to N.J.S.2C:12-1; terroristic threats
36 pursuant to N.J.S.2C:12-3; stalking pursuant to section 1 of P.L.1992,
37 c.209 (C.2C:12-10); criminal coercion pursuant to N.J.S.2C:13-5; or
38 criminal trespass pursuant to N.J.S.2C:18-3.
- 39
- 40 6. (New section) a. A person who, in violation of section 5 of
41 P.L. , c. (C.) (pending before the Legislature as this bill),
42 commits an act of interference with another person's reproductive
43 health care services shall be liable to that aggrieved person, who may
44 bring a civil action in the Superior Court.
- 45 b. The court may award:
- 46 (1) injunctive relief;
- 47 (2) compensatory damages in an amount not less than liquidated
48 damages computed at the rate of \$1,000 for each violation of section

1 5 of P.L. , c. (C.) (pending before the Legislature as this
2 bill);

3 (3) punitive damages upon proof of willful or reckless disregard
4 of the law;

5 (4) reasonable attorney's fees and other litigation costs reasonably
6 incurred; and

7 (5) any other preliminary and equitable relief as the court
8 determines to be appropriate.

9 c. A conviction for a violation of section 5 of
10 P.L. , c. (C.) (pending before the Legislature as this bill)
11 shall not be a prerequisite for a civil action brought pursuant to this
12 section.

13 d. A court may, in its discretion, permit a person aggrieved by a
14 violation of section 5 of P.L. , c. (C.) (pending before the
15 Legislature as this bill) to use a pseudonym in a civil action brought
16 pursuant to the provisions of this section when reasonably required
17 to safeguard the health, safety, or privacy of the person.

18

19 7. (New section) a. The Attorney General or a county or
20 municipal prosecutor may bring a civil action to enjoin, on a
21 temporary, preliminary, or permanent basis, activity that constitutes
22 a violation of section 5 or 6 of P.L. , c. (C.) (pending before
23 the Legislature as this bill); for compensatory damages to persons
24 aggrieved by the violation; and for the assessment of a civil penalty
25 against each actor who violates section 5 or 6 of P.L. , c. (C.)
26 (pending before the Legislature as this bill).

27 b. The civil penalty imposed on each actor shall not exceed
28 \$10,000 for a first violation, and shall not exceed \$25,000 for a
29 second or subsequent violation.

30 c. In imposing a civil penalty pursuant to this section, the court
31 shall consider a prior violation of the federal Freedom of Access to
32 Clinic Entrances Act of 1994, 18 U.S.C., s.248, or a prior violation
33 of a statute of another jurisdiction that would constitute a violation
34 of the federal Freedom of Access to Clinic Entrances Act of 1994,
35 18 U.S.C. s.248, to be a prior violation of sections 5 or 6 of
36 P.L. , c. (C.) (pending before the Legislature as this bill).

37

38 8. Section 1 of P.L.2022, c.50 (C.2A:160-14.1) is amended to
39 read as follows:

40 1. Notwithstanding the provisions of N.J.S.2A:160-14, the
41 Governor shall not surrender, on demand of the executive authority
42 of any other state, any person who:

43 a. is found in this State;

44 b. was not in the state whose executive authority is making the
45 demand at the time of the commission of the alleged crime and has
46 not fled therefrom; and

47 c. is charged in the state whose executive authority is making
48 the demand [with providing, receiving, assisting in providing or

1 receiving, providing material support for, or traveling to obtain]
2 based on reproductive health care [services that are permitted under
3 the laws of this State] activity, as defined in section 1 of
4 P.L. , c. (C.) (pending before the Legislature as this bill),
5 including on any theory of vicarious, joint, several or conspiracy
6 liability.

7 [As used in this section, "reproductive health care services" means
8 all medical, surgical, counseling, or referral services relating to the
9 human reproductive system including, but not limited to, services
10 relating to pregnancy, contraception, or termination of a pregnancy.]
11 (cf: P.L.2022, c.50, s.1)

12

13 9. Section 2 of P.L.2022, c.51 (C.2A:84A-22.19) is amended to
14 read as follows:

15 2. A public entity of this State or employee, appointee, officer
16 or official or any other person acting on behalf of a public entity shall
17 not provide any information or expend or use time, money, facilities,
18 property, equipment, personnel or other resources in furtherance of
19 any interstate investigation or proceeding seeking to impose civil or
20 criminal liability upon a person or entity for [:

21 (1) the provision, receipt, or seeking of, or inquiring or responding
22 to an inquiry about, reproductive health care services, as defined in
23 section 1 of P.L.2022, c.51 (C.2A:84A-22.18), that are legal in this
24 State; or

25 (2) assisting, advising, aiding, abetting, facilitating, soliciting, or
26 conspiring with any person or entity providing, receiving, seeking, or
27 inquiring or responding to an inquiry about ,] reproductive health
28 care [services] activity, as defined in section 1 of [P.L.2022, c.51
29 (C.2A:84A-22.18), that are legal in this State] P.L. , c. (C.)
30 (pending before the Legislature as this bill).

31 This section shall not apply to any investigation or proceeding
32 when the conduct subject to potential liability under the investigation
33 or proceeding would be subject to liability under the laws of this State
34 if committed in this State. This section shall not apply if it is
35 necessary for the agency or person to engage in conduct otherwise
36 prohibited by this section in order to comply with a valid order issued
37 by a court with jurisdiction over the agency or person, or to comply
38 with applicable provisions of State or federal law.

39 (cf: P.L.2022, c.51, s.2)

40

41 10. (New section) With regard to a person who is charged with,
42 or is suspected or convicted of engaging in reproductive health care
43 activity, as defined in section 1 of P.L. , c. (C.) (pending before
44 the Legislature as this bill):

45 a. No State or local law enforcement agency or officer shall
46 knowingly arrest or participate in the arrest of the person, unless the

1 person has committed an offense or other violation of the laws of this
2 State that would subject the person to an arrest.

3 b. No State court, judicial officer, or court employee or clerk shall
4 issue a subpoena pursuant to the laws of another state, in connection
5 with a proceeding in another state, regarding the person, unless the
6 subpoena is related to a legal proceeding for which the person would
7 be subject to a subpoena pursuant to the laws of this State and the
8 Rules of Court.

9 c. No State court or judicial officer shall issue a search warrant
10 to search for or seize any property in connection with a proceeding
11 in another state regarding the person, unless the warrant is related to
12 a legal proceeding for which the person would be subject to a warrant
13 pursuant to the laws of this State.

14 d. No State court, judicial officer, court employee or clerk, or
15 authorized attorney shall issue an ex parte order for wiretapping to
16 obtain any wire, or any oral or electronic communication in
17 connection with a legal proceeding in another state regarding the
18 person, unless the person would be subject to an order for
19 wiretapping under the laws of this State.

20 e. No party shall submit an out-of-State summons for discovery,
21 or a witness to provide testimony, related to an interstate
22 investigation or proceeding that seeks to impose civil liability related
23 to the person, unless the summons is related to a legal proceeding for
24 which the person would be subject to prosecution or liability under
25 the investigation or proceeding would be subject to liability under the
26 laws of this State if committed in this State.

27 f. No person licensed pursuant to the "Private Detective Act of
28 1939," P.L.1939, c.369 (C.45:19-8 et seq.), or the "Bounty Hunter
29 Licensing Act," P.L.2005, c.376 (C.45:19-28 et seq.) shall knowingly
30 participate in the location or apprehension of the person.

31 g. This section shall apply to reproductive health care activity
32 within this State, and reproductive health care activity in accordance
33 with State law including, but not limited to, State law governing
34 telemedicine and telehealth services.

35
36 11. (New section) a. A law of another state that authorizes a
37 person or government entity to bring a prosecution, civil action, or
38 any other legal action to deter, prevent, sanction, or punish any
39 person engaging in reproductive health care activity is against the
40 public policy of this State.

41 b. A law described in subsection a. of this section shall not be
42 applied to any matter, case, or controversy heard in a State court or
43 in an administrative tribunal of this State.

44 c. This section shall apply to reproductive health care activity
45 within this State, and reproductive health care activity in accordance
46 with State law including, but not limited to, State law governing
47 telemedicine and telehealth services.

1 d. The provisions of this section shall not apply to an action
2 founded upon a tort, contract, or statute under the laws of this State,
3 or an action founded in tort, contract, or statute under the laws of
4 another state and for which a similar claim would exist under the laws
5 of this State including, but not limited to, an alleged act of
6 malpractice or negligence by a person in the person's profession or
7 occupation.

8
9 12. (New section) a. The provisions of P.L. , c. (C.)
10 (pending before the Legislature as this bill) shall be liberally
11 construed to effect the purpose thereof.

12 b. The provisions of P.L. , c. (C.) (pending before the
13 Legislature as this bill) shall be severable, and if any of its provisions
14 shall be held to be unconstitutional or otherwise invalid, the decision
15 of the court shall not affect the validity of any of the remaining
16 provisions of P.L. , c. (C.) (pending before the Legislature
17 as this bill).

18
19 13. (New section) The Commissioners of Health and Human
20 Services shall adopt rules and regulations, pursuant to the
21 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
22 seq.) as may be necessary to implement the provisions of
23 P.L. , c. (C.) (pending before the Legislature as this bill).
24 Notwithstanding any provision of the "Administrative Procedure
25 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the
26 commissioners shall be authorized to adopt, immediately upon filing
27 with the Office of Administrative Law, rules and regulations
28 necessary to implement the provisions of P.L. , c. (C.)
29 (pending before the Legislature as this bill). The rules and regulations
30 adopted pursuant to this section shall be effective for a period not to
31 exceed 18 months following the date of filing, and may thereafter be
32 amended, adopted, or readopted by the commissioners in accordance
33 with the requirements of P.L.1968, c.410 (C.52:14B-1 et seq.).

34
35 14. This act shall take effect immediately.