

118TH CONGRESS
2D SESSION

H. R. 9196

To prohibit consideration of pregnancy status when filing for divorce.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2024

Mr. CLEAVER (for himself, Mrs. FOUSHEE, Mrs. PELTOLA, Ms. LEE of California, Ms. BROWNLEY, Ms. KAMLAGER-DOVE, Mrs. HAYES, Mr. JOHNSON of Georgia, Ms. WILLIAMS of Georgia, Ms. TOKUDA, Mr. CASTEN, Mr. TRONE, Mrs. DINGELL, Ms. TLAIB, Mr. THANEDAR, Ms. MCCOLLUM, Mrs. WATSON COLEMAN, Ms. VELÁZQUEZ, Mr. ESPAILLAT, Ms. OCASIO-CORTEZ, Mr. DAVIS of North Carolina, Ms. ROSS, Ms. ADAMS, Ms. BONAMICI, Ms. LEE of Pennsylvania, Mrs. FLETCHER, Ms. CROCKETT, and Ms. NORTON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit consideration of pregnancy status when filing
for divorce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pregnancy Empower-
5 ment Act of 2024”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) Throughout calendar year 2024, national
2 news media reported that several States, in practice,
3 will not finalize a divorce for pregnant people.

4 (2) Many States, in practice, delay, prohibit, or
5 limit divorce until the baby's delivery, allowing the
6 court to determine paternity status and parental
7 rights.

8 (3) Non-Invasive Prenatal Paternity (NIPP)
9 tests can now determine paternal status with blood
10 samples from the mother and alleged father and
11 achieve an accuracy rate of 99.9 percent.

12 (4) Pregnant people are at an increased risk of
13 experiencing intimate partner violence.

14 (5) Women of color are disproportionately im-
15 pacted by domestic violence and are more likely to
16 die at the hands of an abuser.

17 (6) Black women are murdered by men at three
18 times the rate of their white counterparts.

19 (7) Black women living with a partner are six
20 times more likely to experience domestic violence.

21 (8) An estimated 324,000 pregnant people ex-
22 perience intimate partner violence in the United
23 States per year.

1 (9) When reported and detected, prevalence of
2 intimate partner violence during pregnancy can
3 range as high as 35 percent.

4 (10) Reproductive coercion can prevent women
5 in abusive marriages from finalizing a divorce, keep-
6 ing women in abusive relationships.

7 (11) One in 6 abused women were first abused
8 during pregnancy.

9 (12) Homicide is the second leading cause of
10 traumatic death for pregnant and recently pregnant
11 people, accounting for 31 percent of maternal injury
12 deaths.

13 (13) Women living in poverty are twice as likely
14 to experience intimate partner violence.

15 (14) People experiencing intimate partner vio-
16 lence often rely on the emergency room due to finan-
17 cial concerns and coercion and control from their
18 abusers.

19 (15) Divorce has a profound economic impact,
20 often implicating interstate commerce and assets.

21 (16) The median American divorce costs \$7,000
22 and the average American divorce costs \$15,000.

23 (17) Contested divorces involving child custody
24 debate can cost over \$100,000.

1 (18) Of the \$27.4 billion reported by the FY
2 2022 Office of Child Support Services Preliminary
3 Data Report, \$1.4 billion came from interstate
4 cases.

5 (19) Divorces dissolve many financial assets,
6 many of which may cross State lines, including—

7 (A) real estate;

8 (B) outstanding debts;

9 (C) investments;

10 (D) retirement savings;

11 (E) property; and

12 (F) business interests.

13 (20) Article 1, Section 8, Clause 3 of the U.S.
14 Constitution provides Congress the power to regulate
15 interstate commerce.

16 **SEC. 3. PROHIBITION AGAINST CONSIDERATION OF PREG-**
17 **NANCY STATUS WHEN FILING FOR DIVORCE.**

18 No State may take pregnancy status into consider-
19 ation when considering the filing of a petition for divorce.

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