



Liberty Counsel Action
LCAction.org

MODEL LEGISLATION

October 2025

Mifepristone Water Safety Act



407-875-1789



PO Box 540629 Orlando, FL 32854



Liberty@LCAction.org

Model Legislation: Mifepristone Water Safety Act

Liberty Counsel Action

October 2025

Be It Enacted By the Legislature of the State of []*:

Section 1. TITLE –

- (a) This act may be cited as the "Mifepristone Water Safety Act."

Section 2. DEFINITIONS –

As used in this section, the term:

- (a) "Mifepristone" means the chemical pharmaceutical compound approved by the FDA for ending an intrauterine pregnancy and its equivalents, including but not limited to the drugs Mifeprex and Mifegyne.
- (b) "Active metabolites" means the biologically active forms of mifepristone produced after it is metabolized, including its monodemethylated, didemethylated and hydroxylated metabolites.
- (c) "Wastewater treatment facility" means any facility that treats domestic or industrial wastewater.
- (d) "Drinking water treatment facility" means a public water treatment facility that collects, treats, and/or stores of water for human consumption, whether or not such components are under the control of the operator of such system.

Section 3. LEGISLATIVE FINDINGS [related to the Presence of Chemical Abortion Pill Contaminants] –

The Legislature of [insert state] finds that:

- (a) Mifepristone is increasingly used in the vast majority of abortion procedures. The chemical compound and its active metabolites enter wastewater systems via aborted fetal remains that are disposed of in said wastewater systems and via human excretion.
- (b) Given its active components may block progesterone, a vital fertility hormone for humans and animals, it is a contaminant of emerging concern (CEC), posing potential risks to public health and the environment.
- (c) Under the Safe Drinking Water Act, the U.S. Environmental Protection Agency (EPA) establishes standards for public drinking water systems and has granted authority to [insert state's Department of Environmental Protection or equivalent] to enforce said standards, including via the regulation of contaminants.

Model Legislation: Mifepristone Water Safety Act

Liberty Counsel Action

October 2025

Section 4. WATER QUALITY TESTING, MONITORING AND RESEARCH REQUIRMENTS –

(a) Testing Requirements. Beginning [within 180 days of the effective date of this act] all drinking water treatment facilities and wastewater treatment facilities shall:

1. Conduct quarterly testing for the presence mifepristone and its active metabolites.
2. Use analytical methods approved by the [Department of Environmental Protection and/or Department Health or equivalent].
3. Testing shall be performed on influent and treated waters by laboratories certified by the [Department of Environmental Protection and/or Department Health or equivalent] and be measured in parts per trillion.

(b) Reporting and Compliance

1. Facilities must submit test results in parts per trillion to the [Department of Environmental Protection and Department of Health, or equivalent] within 30 days of sampling. The [Department of Environmental Protection or equivalent] shall publish annual summaries of mifepristone contaminant levels in [insert State] water systems and provide said summaries to the legislature.
2. If mifepristone or its metabolites are detected in treated wastewater, within 15 days the [Department of Environmental Protection, in coordination with the Department of Health, or their equivalents] must:
 - i. Initiate research on the possible effects said contaminants may have on [insert state] wildlife, particularly aquatic wildlife and,
 - ii. Notify affected communities.
3. If mifepristone or its metabolites are detected in treated drinking water, within 15 days the [Department of Environmental Protection, in coordination with the Department of Health, or their equivalents] must:
 - i. Initiate research on the possible effects said contaminants may have on individuals, particularly children and men and women of childbearing age, and,
 - ii. Notify affected communities.

Model Legislation: Mifepristone Water Safety Act

Liberty Counsel Action

October 2025

(c) The results of any research pursuant to subsection 4 (b) (2) or (3) shall be immediately reported to the legislature. If said research finds:

1. Any occurrence of adverse effects on humans or wildlife, the [Department of Health or equivalent] shall issue notice to all pharmacies, as defined in [insert state law], clinics or offices who directly dispense drugs that the distribution and use of mifepristone is immediately suspended and prohibited.
2. That there is a potential for adverse effects on humans or wildlife, which may be based on any research that does not definitively demonstrate no harm is caused, the [Department of Health or equivalent] shall issue notice to all pharmacies, clinics or offices who directly dispense drugs that distribution and use of mifepristone is immediately suspended and prohibited until further conclusive study is completed.

Section 5. PROHIBITED ACTS; ENFORCEMENT AND PENALTIES –

(a) The following acts are prohibited and a violation of this act:

1. Failure by a wastewater treatment facility or drinking water treatment facility to comply with the requirements of this Act.
2. Failure by a pharmacy, clinic, or office who directly dispenses drugs, to comply with a notice issued under Section 4(c) of this Act.

(b) Enforcement and Penalties

1. A fine, not to exceed \$5,000 for each day in which a violation occurs, may be imposed by a court of competent jurisdiction on any person [who owns or operates any public water system or wastewater treatment facility] guilty of the grounds set forth in Section 5(a)(1) of this act.
2. The [Department of Environmental Protection or equivalent] may also initiate an administrative proceeding to establish liability and require corrective action on any person [who owns or operates any public water system or wastewater treatment facility] that violates of Section 4 of this Act.
3. Where a notice is issued under Section 4(c) of this Act, the [Department of Health or equivalent] shall serve as the state's primary

Model Legislation: Mifepristone Water Safety Act

Liberty Counsel Action

October 2025

enforcement body for the regulation of the distribution and disposal of mifepristone, and is authorized to:

- i. Investigate the in-state distribution, dispensing, and disposal of mifepristone;
- ii. Conduct inspections of pharmacies and clinics or offices who directly dispense drugs, including but not limited to:
 - a. Any dispensing of mifepristone through in-person pickup at a community or institutional pharmacy;
 - b. Any dispensing of mifepristone through clinics or offices that directly dispense drugs;
 - c. Any dispensing of mifepristone through mail-order delivery into this state.

(c). If the Department of Health finds any person, agent, or corporate officer [operating or acting on behalf of a pharmacy, clinic or office who directly dispenses drugs] guilty of the grounds set forth in Section 5(a)(2) of this Act, it may enter an order imposing one or more of the following penalties:

1. Suspension or permanent revocation of a license.
2. Restriction of practice or license, including, but not limited to, restricting the licensee from distributing or dispensing mifepristone, or any other restriction found to be necessary for the protection of the public health, safety, and welfare.
3. Imposition of an administrative fine not to exceed \$10,000 for each count or separate offense.
4. Placement of the licensee on probation for a period of time and subject to such conditions as the department may specify.
5. Corrective action.

(d) In any case where the department imposes a fine and the fine is not paid within a reasonable time, the reasonable time to be prescribed in the rules of the department, or in the order assessing the fines or costs, the department may contract for the collection of, or bring a civil action to recover, the fine. If the

Model Legislation: Mifepristone Water Safety Act

Liberty Counsel Action

October 2025

department is required to seek enforcement of a fine, it shall be entitled to collect its attorney's fees and costs.

(e) In addition to the administrative and civil remedies under paragraphs (c) and (d): Any person, agent, or corporate officer who knowingly engages in conduct prohibited under paragraph Section 5(a)(2) commits a felony of the [insert degree], punishable by [insert penalties provided in state law].

(f) Each unlawful act of dispensing, distribution, or delivery shall be considered a separate offense.

Section 6. RULEMAKING AUTHORITY –

In implementing this act [the Department of Environmental Protection, in coordination with The Department of Health or equivalents] shall adopt rules for the implementation of this act. The Department shall:

- (a) Initiate rulemaking within 30 days of the effective date of this act and submit the adopted rules to the [President of the Senate and the Speaker of the House of Representatives] for approval.
- (b) Approve analytical methods.
- (c) Revise the appropriate chapters in the [insert state] Administrative Code.

Section 7. EFFECTIVE DATE –

This act shall take effect upon becoming a law.

**States may consider adding language to ensure conformity to current law, or further amendments as needed.*