

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-AB216)**

Received: 6/12/2013  
Wanted: As time permits  
For: Sandy Pasch (608) 266-7671  
May Contact:  
Subject: Health - abortion/maternal/child

Received By: tdodge  
Same as LRB:  
By/Representing: Fred Ludwig  
Drafter: tdodge  
Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Rep.Pasch@legis.wisconsin.gov  
Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Remove reporting requirement from law requiring informed and voluntary consent for abortion

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 6/12/2013			_____			
/1		jdyer 6/12/2013	jfrantze 6/12/2013	_____	lparisi 6/12/2013	lparisi 6/12/2013	

FE Sent For:

<END>

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Table with columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Includes handwritten entries like '1 6/12 jld' and signatures.

FE Sent For:

<END>



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa0643/om1

TJD:.....

RMPuld

In: 6/12/13 TODAY

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY BILL 216**

1 At the locations indicated, amend the bill as follows: ✓

2 1. Page 1, line 4: after "services" insert ", voluntary and informed consent to  
3 an abortion when the pregnancy is the result of sexual assault or incest," ✓

4 2. Page 2, line 1: before that line insert:

5 "SECTION 1g. ✓ 20.927 (2) (a) ✓ of the statutes is amended to read:

6 20.927 (2) (a) This section does not apply to the performance by a physician of  
7 an abortion which is directly and medically necessary to save the life of the woman  
8 or in a case of sexual assault or incest, provided that prior thereto the physician signs  
9 a certification which so states, ✓ and provided that, in the case of sexual assault or  
10 incest the crime has been reported to the law enforcement authorities. The  
11 certification shall be affixed to the claim form or invoice when submitted to any  
12 agency or fiscal intermediary of the state for payment, and shall specify and attest

1 to the direct medical necessity of such abortion upon the best clinical judgment of the  
2 physician or attest to his or her belief that sexual assault or incest has occurred.” ✓

History: 1977 c. 245; 1999 a. 9; 2001 a. 103; 2007 a. 20; 2011 a. 32.

SECTION ← (B) (CS)

3 **3.** Page 2, line 1: delete “1” and substitute “1r”. ✓

4 **4.** Page 3, line 13: after that line insert:

5 “SECTION 6j. ✓ 253.10 (3m) (a) (intro.) and 1. of the statutes are consolidated,  
6 renumbered 253.10 (3m) (a) and amended to read:

7 **253.10** (3m) (a) A woman seeking an abortion may waive the 24-hour period  
8 required under sub. (3) (c) 1. (intro.) and L. and 2. (intro.) if all of the following are  
9 first done: ~~1. The the woman alleges that the pregnancy is the result of sexual~~  
10 ~~assault under s. 940.225 (1), (2) or (3) and states that a report alleging the sexual~~  
11 ~~assault has been made to law enforcement authorities.~~ ✓

History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27 s. 378; Stats. 1993 s. 253.10; 1995 a. 309; 1997 a. 27; 1999 a. 9; 2005 a. 155, 277, 387; 2007 a. 20; 2009 a. 28; 2011 a. 217.

12 **SECTION 6k.** 253.10 (3m) (a) 2. of the statutes is repealed.

13 **SECTION 6m.** 253.10 (3m) (b) (intro.) and 1. of the statutes are consolidated,  
14 renumbered 253.10 (3m) (b) and amended to read:

15 **253.10 (3m) (b) (intro.)** The 24-hour period required under sub. (3) (c) 1. (intro.)  
16 and L. and 2. (intro.) is reduced to at least 2 hours if all of the following are first done:  
17 ~~1. The the woman alleges that the pregnancy is the result of incest under s. 948.06~~  
18 ~~(1) or (1m) and states that a report alleging the incest has been made to law~~  
19 ~~enforcement authorities.~~ ✓

History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27 s. 378; Stats. 1993 s. 253.10; 1995 a. 309; 1997 a. 27; 1999 a. 9; 2005 a. 155, 277, 387; 2007 a. 20; 2009 a. 28; 2011 a. 217.

20 **SECTION 6n.** 253.10 (3m) (b) 2. and (c) of the statutes are repealed. ✓

21

(END)

Insert 2-2) ✓

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa0643/lins  
TJD:.....

1 INSERT 2-21

2 SECTION 6p. 253.10 (5) of the statutes is amended to read:

3 253.10 (5) PENALTY. Any person who violates sub. (3) ~~or (3m) (a) 2. or (b) 2.~~ shall  
4 be required to forfeit not less than \$1,000 nor more than \$10,000. No penalty may  
5 be assessed against the woman upon whom the abortion is performed or induced or  
6 attempted to be performed or induced.

History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27 s. 378; Stats. 1993 s. 253.10; 1995 a. 309; 1997 a. 27; 1999 a. 9; 2005 a. 155, 277, 387; 2007 a. 20; 2009 a. 28; 2011 a. 217.

7 SECTION 6r. 253.10 (6) (a) of the statutes is amended to read:

8 253.10 (6) (a) A person who violates sub. (3) ~~or (3m) (a) 2. or (b) 2.~~ is liable to  
9 the woman on or for whom the abortion was performed or induced for damages  
10 arising out of the performance or inducement of the abortion, including damages for  
11 personal injury and emotional and psychological distress.”

History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27 s. 378; Stats. 1993 s. 253.10; 1995 a. 309; 1997 a. 27; 1999 a. 9; 2005 a. 155, 277, 387; 2007 a. 20; 2009 a. 28; 2011 a. 217.

(END INSERT 2-21)