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2001 SENATE BILL 389

January 18, 2002 – Introduced by Senators Baumgart and Schultz, cosponsored by Representatives Owens, Plale, Gundrum and Gunderson. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

- AN ACT *to amend* 48.375 (2) (a) and 253.10 (2) (a) of the statutes; **relating to:**changing the definition of "abortion" for informed consent to an abortion and
- 3 for parental consent to a minor's abortion.

Analysis by the Legislative Reference Bureau

Under current law, an abortion may not be performed or induced unless the individual seeking the abortion has given a voluntary, informed consent; included in this consent is her required receipt of certain oral and written information at least 24 hours before the abortion is to be performed or induced. Also under current law, a minor may not obtain an abortion unless the minor has given voluntary, informed consent under the same requirements and voluntary, informed consent has been given by a parent or one of several specified persons or a court has granted the minor's petition for a waiver of the consent by a parent or other person. "Abortion" is defined, for the purposes of these laws, to mean, among other things, the use of any drug to terminate pregnancy and with intent other than to increase the probability of a live birth, to preserve the life or health of the infant after live birth, or to remove a dead fetus.

This bill modifies the definition of "abortion" for the purposes of the laws relating to informed consent and to parental consent for a minor's abortion, to include specifically use of the drug RU-486.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1. 48.375 (2) (a) of the statutes is amended to read:

48.375 **(2)** (a) "Abortion" means the use of any instrument, medicine, drug, including RU-486, or any other substance or device with intent to terminate the pregnancy of a minor after implantation of a fertilized human ovum and with intent other than to increase the probability of a live birth, to preserve the life or health of the infant after live birth, or to remove a dead fetus.

Section 2. 253.10 (2) (a) of the statutes is amended to read:

253.10 (2) (a) "Abortion" means the use of an instrument, medicine, drug, including RU-486, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant or for whom there is reason to believe that she may be pregnant and with intent other than to increase the probability of a live birth, to preserve the life or health of the infant after live birth, or to remove a dead fetus.

14 (END)