



2021 SENATE BILL 260

March 31, 2021 - Introduced by Senators JACQUE, BERNIER, BRADLEY, NASS and STROEBEL, cosponsored by Representatives MURPHY, CABRAL-GUEVARA, BRANDTJEN, BROOKS, DITTRICH, EDMING, GUNDRUM, HORLACHER, KNODL, KUGLITSCH, MAGNAFICI, MOSES, RAMTHUN, ROZAR, SANFELIPPO, SCHRAA, SKOWRONSKI, THIESFELDT, TITTL, TUSLER, WICHGERS and STEFFEN. Referred to Committee on Human Services, Children and Families.

- 1 **AN ACT** *to create* 20.9273 of the statutes; **relating to:** prohibiting performance
2 of and funding or providing property for abortions and other services by certain
3 employees and entities.

Analysis by the Legislative Reference Bureau

This bill prohibits an employee of the University of Wisconsin System or the University of Wisconsin Hospitals and Clinics Authority from, while in the scope of his or her employment, performing or assisting in the performance of an abortion; performing services at a private entity where abortions are performed that is not a hospital; or training or receiving training in performing abortions. Additionally, the UW System and the UW Hospitals and Clinics Authority are prohibited under the bill from using funds or property to provide liability protection for or enter into any type of agreement for employees to perform any of those activities that the bill directly prohibits employees from performing. For purposes of these prohibitions, an abortion, as defined under current law, is the use of a substance or device with intent to terminate the pregnancy of a woman known to be or for whom there is reason to believe 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.

Under current law, no funds of the state or of certain local governmental units, including funds of the UW Hospitals and Clinics Authority, and no federal funds passing through the state treasury may be authorized for or paid to a physician or hospital, clinic, or other medical facility for the performance of an abortion. For

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purposes of the funding prohibition, abortion is defined as the intentional destruction of life of an unborn child. The funding prohibition in current law does not apply when the abortion is directly and medically necessary to save the life of the mother, when directly and medically necessary to prevent grave, long-lasting physical health damage to the mother, or in circumstances of sexual assault or incest, if certain certification requirements are fulfilled.

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

1 **SECTION 1.** 20.9273 of the statutes is created to read:

2 **20.9273 Prohibiting use of funds, property, and employee resources for**
3 **abortions. (1)** In this section:

4 (a) “Abortion” has the meaning given in s. 253.10 (2) (a).

5 (b) “Hospital” has the meaning given in s. 50.33 (2).

6 **(2)** No employee of the University of Wisconsin System or the University of
7 Wisconsin Hospitals and Clinics Authority may, in the scope of his or her
8 employment, do any of the following:

9 (a) Perform or assist in performing an abortion.

10 (b) Perform services at a private entity, other than a hospital, where abortions
11 are performed.

12 (c) Train others to perform abortions or receive training in performing
13 abortions.

14 **(3)** The University of Wisconsin System and the University of Wisconsin
15 Hospitals and Clinics Authority may not use any funds or property to assist, assign,
16 extend liability protection for, or enter into a contract, agreement, or memorandum
17 of understanding that makes arrangements for employees to do any of the following:

18 (a) Perform or assist in performing an abortion.

