



2017 SENATE BILL 423

October 2, 2017 - Introduced by Senators MOULTON, VUKMIR, TESTIN, STROEBEL, CRAIG, NASS, LEMAHIEU, KAPENGA and MARKLEIN, cosponsored by Representatives KLEEFISCH, BERNIER, JACQUE, ALLEN, BORN, BRANDTJEN, EDMING, GANNON, HORLACHER, HUTTON, KATZMA, KNODL, KREMER, KRUG, KULP, MACCO, MURPHY, NEYLON, OTT, QUINN, RIPP, ROHRKASTE, SANFELIPPO, SCHRAA, SKOWRONSKI, THIESFELDT, TITTL, TUSLER and WICHGERS. Referred to Committee on Judiciary and Public Safety.

- 1 **AN ACT** *to create* 146.346 of the statutes; **relating to:** use and final disposition
2 of fetal body parts and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits any person from knowingly acquiring, providing, receiving, or using a fetal body part, regardless of whether the acquisition, provision, receipt, or use is for valuable consideration. A fetal body part, as defined in the bill, is tissue, an organ, or another part of an unborn child that is obtained after and as a result of an induced abortion after January 1, 2017. Pathological study of a fetal body part to confirm a prenatal diagnosis of the unborn child or for autopsy is exempt from this prohibition.

The bill also requires a facility that provides an induced abortion to arrange for the entombment, inurnment, or interment of fetal body parts resulting from an induced abortion. Anyone that acts exclusively in furtherance of final disposition of a fetal body part is not guilty of violating the prohibition against acquiring, providing, receiving, or using a fetal body part.

The bill imposes a forfeiture on entities that are not individuals that violate the requirements of the bill. The bill specifies that a mother or father of an unborn child may not be penalized for violating requirements of the bill.

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

