



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 220**

May 20, 1997 - Offered by Representative WASSERMAN.

1 **AN ACT to create** 448.15, 939.66 (8), 940.16 and 971.10 (3) (d) of the statutes;
2 **relating to:** prohibiting performance of certain partial-birth abortions,
3 providing for review of partial-birth abortions by the medical examining board,
4 granting rule-making authority and providing a penalty.

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

5 **SECTION 1.** 448.15 of the statutes is created to read:

6 **448.15 Review of partial-birth abortions.** (1) In this section,
7 "partial-birth abortion" has the meaning given in s. 940.16 (1) (a).

8 (2) At the request of a physician charged with a violation of s. 940.16 (2), the
9 board shall conduct a hearing as to whether the physician's performance of the
10 partial-birth abortion was necessary to save the life of a woman whose life is
11 endangered by a physical disorder, physical illness or physical injury, including a

1 life-endangering physical disorder, physical illness or physical injury caused by or
2 arising from the pregnancy itself, as provided in s. 940.16 (3).

3 (3) The findings by the board at a hearing under sub. (2) may be admitted at
4 the criminal trial of the physician who requested the hearing.

5 (4) The board shall promulgate rules relating to the conduct of hearings under
6 sub. (2).

7 **SECTION 2.** 939.66 (8) of the statutes is created to read:

8 939.66 (8) The crime specified in s. 940.15 (2) when the crime charged is
9 specified in s. 940.16 (2).

10 **SECTION 3.** 940.16 of the statutes is created to read:

11 **940.16 Partial-birth abortion.** (1) In this section:

12 (a) "Partial-birth abortion" means a procedure consisting of the following
13 sequence of acts:

14 1. The uterine cervix of a pregnant woman is dilated.

15 2. The fetus is rotated so that its feet are the presenting part.

16 3. The feet of the fetus are pulled past the vaginal introitus and the arms and
17 shoulders of the fetus are passed through the uterine cervix.

18 4. A scissors is used to pierce the base of the skull of the fetus.

19 5. A suction curette is inserted into the opening at the base of the skull made
20 by the scissors and the cranial contents are suctioned from the skull.

21 6. The skull of the fetus is crushed or collapsed.

22 7. Delivery of the fetus is completed.

23 (b) "Viability" has the meaning given in s. 940.15 (1).

