

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB808)

Received: 03/23/2000

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing: Scott Southworth

This file may be shown to any legislator: NO

Drafter: kenneda

May Contact:

Alt. Drafters:

Subject: Health - miscellaneous

Extra Copies: ISR

Pre Topic:

No specific pre topic given

Topic:

Prohibiting the sale of fetal body parts of fetus after fertilization

Instructions:

See Attached

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>
I?	kenneda 03/23/2000	gilfolcm 03/23/2000		_____			
/1			jfrantze 03/23/2000	_____	lrb-docadmin 03/23/2000	lrb-docadmin 03/23/2000	
/2	kenneda 03/28/2000	gilfokm 03/28/2000	kfollet 03/28/2000	_____	lrb-docadmin 03/28/2000	lrb-docadmin 03/28/2000	

FE Sent For:

<END>

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/?	kenneda 03/23/2000	gilfokm 03/23/2000		_____			
/1		<i>12-3-28 kmg</i>	jfrantze 03/23/2000	_____	lrb-docadmin 03/23/2000	lrb-docadmin 03/23/2000	
			<i>lrf 3/28</i>	<i>lrf self 3/28</i>			
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1/?	kenneda	1-3-23 King	6/23	J/kh 3/23		

FE Sent For:

<END>

3/23 From Scott Southworth

Draft subclause to s 04701, except
del + prohibit on use of fetal body part and
add "after fertilization" to fbp definition

(NOW)

(D-NOTE)

**ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 808**

Sen. Col.

1 **AN ACT** *to renumber and amend* 146.345 (1) (a) and 146.345 (1) (b); and *to*
2 **create** 146.345 (1) (ag), 146.345 (1) (b) 2. and 146.345 (2m) of the statutes;
3 **relating to:** prohibiting the ~~use for transplantation research and the~~ sale of
4 fetal body parts.

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

5 **SECTION 1.** 146.345 (1) (a) of the statutes is renumbered 146.345 (1) (am) and
6 amended to read:

7 146.345 (1) (am) "Human organ" means a human kidney, liver, heart, lung,
8 pancreas, bone marrow, cornea, eye, bone or skin or any other human organ specified
9 by the department by rule. "Human organ" does not mean human whole blood, blood
10 plasma, a blood product or a blood derivative ~~or~~, human semen or a fetal body part.

11 **SECTION 2.** 146.345 (1) (ag) of the statutes is created to read:

after fertilization

1 146.345 (1) (ag) "Fetal body part" means a cell, tissue, organ or other part of
2 a human being who is aborted by an induced abortion before being born alive.

3 SECTION 3. 146.345 (1) (b) of the statutes is renumbered 146.345 (1) (b) (intro.)
4 and amended to read:

5 146.345 (1) (b) (intro.) ~~"Human organ transplantation"~~ "Transplantation"
6 means the medical procedure by which ~~transfer one of the following occurs:~~

7 1. Transfer of a human organ is made from the body of a person to the body of
8 another person.

9 SECTION 4. 146.345 (1) (b) 2. of the statutes is created to read:

10 146.345 (1) (b) 2. Transfer of a fetal body part is made to the body of a person.

11 SECTION 5. 146.345 (2m) of the statutes is created to read:

12 146.345 (2m) ~~(a) No person may knowingly use a fetal body part for~~
13 ~~transplantation or research.~~

14 ~~(b)~~ No person may knowingly and for valuable consideration acquire, receive
15 or otherwise transfer a fetal body part.

16 (END)

D-NOTE

D-NOTE

: King:

To Representative Albers:

This substitute amendment deletes the creation
of ⁴ s. 146.345(2m)(a) (the prohibition on use of
a fetal body part for transplantation or
research) that was in ^{LRB} §§ 0470/1. Please note
that, because of this deletion, I also deleted
the changed definition of "transplantation"
under s. 146.345(1)(b) that was in ^{LRB} §§ 0470/1;
that changed term is not ^{used} used in this
substitute amendment. ↑
ADM

DAK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0479/1dn
DAK:kmg:jf

March 23, 2000

To Representative Albers:

This substitute amendment deletes the creation of s. 146.345 (2m) (a) (the prohibition on use of a fetal body part for transplantation or research) that was in **LRBs0470/1**. Please note that, because of this deletion, I also deleted the changed definition of "transplantation" under s. 146.345 (1) (b) that was in **LRBs0470/1**; that changed term is not used in this substitute amendment.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137

Now

**ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 808**

1 **AN ACT** to renumber and amend 146.345 (1) (a); and to create 146.345 (1) (ag)
2 and 146.345 (2m) of the statutes; relating to: prohibiting the sale of fetal body
3 parts.

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

4 SECTION 1. 146.345 (1) (a) of the statutes is renumbered 146.345 (1) (am) and
5 amended to read:

6 146.345 (1) (am) "Human organ" means a human kidney, liver, heart, lung,
7 pancreas, bone marrow, cornea, eye, bone or skin or any other human organ specified
8 by the department by rule. "Human organ" does not mean human whole blood, blood
9 plasma, a blood product or a blood derivative ~~or~~, human semen or a fetal body part.

10 SECTION 2. 146.345 (1) (ag) of the statutes is created to read:

1 146.345 (1) (ag) "Petal body part" means a cell, tissue, organ or other part of

2 a human being after fertilization who is aborted by an induced abortion ~~before being~~

3 ~~born alive.~~

4 SECTION 3. 146.345 (2m) of the statutes is created to read:

5 146.345 (2m) No person may knowingly and for valuable consideration

6 acquire, receive or otherwise transfer a fetal body part.

7 (END)