

**ASSEMBLY SUBSTITUTE AMENDMENT 3,
TO 2001 ASSEMBLY BILL 360**

January 16, 2002 – Offered by Representative KEDZIE.

1 **AN ACT** *to create* 895.68 of the statutes; **relating to:** recovery in cases involving
2 wrongful birth or wrongful life.

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

3 **SECTION 1.** 895.68 of the statutes is created to read:

4 **895.68 Limit on recovery; wrongful birth and wrongful life. (1)** In this
5 section:

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

7 (b) “Wrongful birth action” means a cause of action that is brought by a parent
8 or other person who is legally required to provide for the support of a child, seeks
9 economic or noneconomic damages resulting from a condition of the child that existed
10 at the time of the child’s birth, and is based on a claim that a person’s act or omission
11 contributed to the mother’s decision not to undergo an abortion.

