

2001 SENATE BILL 390

January 18, 2002 – Introduced by Senators BAUMGART, GROBSCHMIDT and SCHULTZ, cosponsored by Representatives NASS, GROTHMAN and OWENS. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

1 **AN ACT** *to create* 48.375 (7) (b) 2m. of the statutes; **relating to:** the evidence that
2 a court must hear at a hearing on a petition for a waiver of the requirement that
3 a minor’s parent consent before the minor may have an abortion.

Analysis by the Legislative Reference Bureau

Under current law, subject to certain exceptions, before an unemancipated minor may have an abortion, she must have the written consent of one of her parents, a guardian or legal custodian, an adult family member 25 years of age or over, or, in certain cases, a foster parent or treatment foster parent, unless the minor obtains a waiver of that consent requirement from the circuit court. Before granting such a waiver, the circuit court must hold a hearing at which the court must hear evidence relating to the emotional development, maturity, intellect, and understanding of the minor and the understanding of the minor about the nature of, possible consequences of, and alternatives to the intended abortion. After the hearing, the court must grant the petition if the court finds either that the minor is mature and well-informed enough to make the abortion decision on her own or that the performance or inducement of the abortion is in the minor’s best interests. This bill requires the circuit court, in addition to hearing the evidence that the court must hear under current law, to hear evidence relating to the nature of the relationship between the minor and her parents.

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

