



## 2025 ASSEMBLY BILL 546

October 15, 2025 - Introduced by Representatives GOEBEN, GUSTAFSON, BRILL, MAXEY, PENTERMAN, MURPHY, ALLEN, GUNDRUM, PIWOWARCZYK, B. JACOBSON, TUSLER, TITTL, O'CONNOR, KREIBICH, DITTRICH, BEHNKE, KNODL, ARMSTRONG, GREEN, MURSAU and HURD, cosponsored by Senators QUINN, JACQUE, JAGLER, TOMCZYK, WANGGAARD, MARKLEIN, BRADLEY and NASS. Referred to Committee on Health, Aging and Long-Term Care.

1     **AN ACT** *to renumber* 48.375 (2) (a), 69.01 (13m) and 253.10 (2) (a); *to*  
2           *renumber and amend* 20.927 (1g), 939.75 (2) (a) and 940.15 (1); *to amend*  
3           253.10 (2) (h); *to create* 20.927 (1g) (a) 2., 20.927 (1g) (b), 20.927 (1g) (c),  
4           20.927 (1g) (d), 48.375 (2) (a) 2., 48.375 (2) (bm), 48.375 (2) (dm), 48.375 (2) (f),  
5           69.01 (1m), 69.01 (9), 69.01 (13m) (b), 69.01 (16p), 253.10 (2) (a) 2., 253.10 (2)  
6           (bm), 253.10 (2) (cm), 253.10 (2) (dm), 939.75 (2) (a) 1., 939.75 (2) (a) 2., 939.75  
7           (2) (a) 4., 940.15 (1) (a), 940.15 (1) (b), 940.15 (1) (c) and 940.15 (1) (d) of the  
8           statutes; **relating to:** limitations on the definition of abortion.

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### ***Analysis by the Legislative Reference Bureau***

This bill amends the definition of abortion, for purposes of requiring voluntary and informed consent for abortions, to except from the definition of abortion a physician's performance of a medical procedure or treatment designed or intended to prevent the death of a pregnant woman and not designed or intended to kill the unborn child, including an early induction or cesarean section performed due to a medical emergency or the removal of a dead embryo or dead fetus, or an ectopic, anembryonic, or molar pregnancy, which results in injury to or death of the

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woman's unborn child when the physician makes reasonable medical efforts under the circumstances to preserve both the life of the woman and the life of her unborn child according to reasonable medical judgment and appropriate interventions for the gestational age of the child. The definition of abortion that applies for purposes of requiring voluntary and informed consent for abortions also applies to certain other abortion-related provisions, including prohibitions on funding for abortion-related activities, limitations on the prescription and use of abortion-inducing drugs, and the prohibition on abortion if the probable postfertilization age of the unborn child is 20 or more weeks. The bill makes the same change to the definition of abortion or induced abortion in other abortion-related provisions, including prohibitions on the subsidy of abortion, parental consent requirements for performance or inducement of an abortion on or for an unemancipated minor, induced abortion reporting requirements, and the exemption of induced abortion from certain crimes relating to death or harm to an unborn child.

The bill further specifies that, for purposes of a statutory provision prohibiting, with certain exceptions, abortion after a fetus or unborn child reaches viability, abortion does not include a physician's performance of a medical procedure or treatment designed or intended to prevent the death of a pregnant woman and not designed or intended to kill the unborn child, including an early induction or cesarean section performed due to a medical emergency or the removal of a dead embryo or dead fetus, or an ectopic, anembryonic, or molar pregnancy, which results in injury to or death of the woman's unborn child when the physician makes reasonable medical efforts under the circumstances to preserve both the life of the woman and the life of her unborn child according to reasonable medical judgment and appropriate interventions for the gestational age of the child.

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

1           **SECTION 1.** 20.927 (1g) of the statutes is renumbered 20.927 (1g) (intro.) and  
2 amended to read:

3           20.927 (1g) (intro.) In this section, ~~“abortion”~~:

4           (a) 1. “Abortion” means the intentional destruction of the life of an unborn  
5 child, ~~and “unborn child”~~.

6           (f) “Unborn child” means a human being from the time of ~~conception~~  
7 fertilization until ~~it is born alive~~ birth.

8           **SECTION 2.** 20.927 (1g) (a) 2. of the statutes is created to read:

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1           20.927 (1g) (a) 2. “Abortion” does not include a physician’s performance of a  
2           medical procedure or treatment designed or intended to prevent the death of a  
3           pregnant woman and not designed or intended to kill the unborn child, including an  
4           early induction or cesarean section performed due to a medical emergency or the  
5           removal of a dead embryo or dead fetus, or an ectopic pregnancy, anembryonic  
6           pregnancy, or molar pregnancy, which results in injury to or death of the woman’s  
7           unborn child when the physician makes reasonable medical efforts under the  
8           circumstances to preserve both the life of the woman and the life of her unborn child  
9           according to reasonable medical judgment and appropriate interventions for the  
10          gestational age of the child.

11           **SECTION 3.** 20.927 (1g) (b) of the statutes is created to read:

12           20.927 (1g) (b) “Anembryonic pregnancy” means a pregnancy in which  
13           implantation occurs, but the embryo fails to develop, and the gestational sac and  
14           placenta grow, but the gestational sac remains empty.

15           **SECTION 4.** 20.927 (1g) (c) of the statutes is created to read:

16           20.927 (1g) (c) “Ectopic pregnancy” means a pregnancy in which the embryo  
17           implants outside of the uterus, most commonly in the fallopian tube.

18           **SECTION 5.** 20.927 (1g) (d) of the statutes is created to read:

19           20.927 (1g) (d) “Molar pregnancy” means an abnormal pregnancy that occurs  
20           when a sperm fertilizes an egg that does not contain any genetic material and that  
21           cannot develop normally.

22           **SECTION 6.** 48.375 (2) (a) of the statutes is renumbered 48.375 (2) (a) 1.

23           **SECTION 7.** 48.375 (2) (a) 2. of the statutes is created to read:

24           48.375 (2) (a) 2. “Abortion” does not include a physician’s performance of a

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1 medical procedure or treatment designed or intended to prevent the death of a  
2 pregnant woman and not designed or intended to kill the unborn child, including an  
3 early induction or cesarean section performed due to a medical emergency or the  
4 removal of a dead embryo or dead fetus, or an ectopic pregnancy, anembryonic  
5 pregnancy, or molar pregnancy, which results in injury to or death of the woman's  
6 unborn child when the physician makes reasonable medical efforts under the  
7 circumstances to preserve both the life of the woman and the life of her unborn child  
8 according to reasonable medical judgment and appropriate interventions for the  
9 gestational age of the child.

10 **SECTION 8.** 48.375 (2) (bm) of the statutes is created to read:

11 48.375 (2) (bm) "Anembryonic pregnancy" has the meaning given in s. 20.927  
12 (1g) (b).

13 **SECTION 9.** 48.375 (2) (dm) of the statutes is created to read:

14 48.375 (2) (dm) "Ectopic pregnancy" has the meaning given in s. 20.927 (1g)  
15 (c).

16 **SECTION 10.** 48.375 (2) (f) of the statutes is created to read:

17 48.375 (2) (f) "Molar pregnancy" has the meaning given in s. 20.927 (1g) (d).

18 **SECTION 11.** 69.01 (1m) of the statutes is created to read:

19 69.01 (1m) "Anembryonic pregnancy" has the meaning given in s. 20.927 (1g)  
20 (b).

21 **SECTION 12.** 69.01 (9) of the statutes is created to read:

22 69.01 (9) "Ectopic pregnancy" has the meaning given in s. 20.927 (1g) (c).

23 **SECTION 13.** 69.01 (13m) of the statutes is renumbered 69.01 (13m) (a).

24 **SECTION 14.** 69.01 (13m) (b) of the statutes is created to read:

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1           69.01 (13m) (b) “Induced abortion” does not include a physician’s  
2 performance of a medical procedure or treatment designed or intended to prevent  
3 the death of a pregnant woman and not designed or intended to kill the unborn  
4 child, including an early induction or cesarean section performed due to a medical  
5 emergency or the removal of a dead embryo or dead fetus, or an ectopic pregnancy,  
6 anembryonic pregnancy, or molar pregnancy, which results in injury to or death of  
7 the woman’s unborn child when the physician makes reasonable medical efforts  
8 under the circumstances to preserve both the life of the woman and the life of her  
9 unborn child according to reasonable medical judgment and appropriate  
10 interventions for the gestational age of the child.

11           **SECTION 15.** 69.01 (16p) of the statutes is created to read:

12           69.01 (16p) “Molar pregnancy” has the meaning given in s. 20.927 (1g) (d).

13           **SECTION 16.** 253.10 (2) (a) of the statutes is renumbered 253.10 (2) (a) 1.

14           **SECTION 17.** 253.10 (2) (a) 2. of the statutes is created to read:

15           253.10 (2) (a) 2. “Abortion” does not include a physician’s performance of a  
16 medical procedure or treatment designed or intended to prevent the death of a  
17 pregnant woman and not designed or intended to kill the unborn child, including an  
18 early induction or cesarean section performed due to a medical emergency or the  
19 removal of a dead embryo or dead fetus, or an ectopic pregnancy, anembryonic  
20 pregnancy, or molar pregnancy, which results in injury to or death of the woman’s  
21 unborn child when the physician makes reasonable medical efforts under the  
22 circumstances to preserve both the life of the woman and the life of her unborn child  
23 according to reasonable medical judgment and appropriate interventions for the  
24 gestational age of the child.

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1           **SECTION 18.** 253.10 (2) (bm) of the statutes is created to read:

2           253.10 (2) (bm) “Anembryonic pregnancy” has the meaning given in s. 20.927  
3 (1g) (b).

4           **SECTION 19.** 253.10 (2) (cm) of the statutes is created to read:

5           253.10 (2) (cm) “Ectopic pregnancy” has the meaning given in s. 20.927 (1g)  
6 (c).

7           **SECTION 20.** 253.10 (2) (dm) of the statutes is created to read:

8           253.10 (2) (dm) “Molar pregnancy” has the meaning given in s. 20.927 (1g) (d).

9           **SECTION 21.** 253.10 (2) (h) of the statutes is amended to read:

10          253.10 (2) (h) “Viability” has the meaning given in s. 940.15 (1) (e).

11          **SECTION 22.** 939.75 (2) (a) of the statutes is renumbered 939.75 (2) (a) (intro.)

12 and amended to read:

13          939.75 (2) (a) (intro.) In this subsection, ~~“induced abortion”~~:

14          3. “Induced abortion” means the use of any instrument, medicine, drug or  
15 other substance or device in a medical procedure with the intent to terminate the  
16 pregnancy of a woman and with an intent other than to increase the probability of  
17 a live birth, to preserve the life or health of the infant after live birth or to remove a  
18 dead fetus. “Induced abortion” does not include a physician’s performance of a  
19 medical procedure or treatment designed or intended to prevent the death of a  
20 pregnant woman and not designed or intended to kill the unborn child, including an  
21 early induction or cesarean section performed due to a medical emergency or the  
22 removal of a dead embryo or dead fetus, or an ectopic pregnancy, anembryonic  
23 pregnancy, or molar pregnancy, which results in injury to or death of the woman’s  
24 unborn child when the physician makes reasonable medical efforts under the

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1 circumstances to preserve both the life of the woman and the life of her unborn child  
2 according to reasonable medical judgment and appropriate interventions for the  
3 gestational age of the child.

4 **SECTION 23.** 939.75 (2) (a) 1. of the statutes is created to read:

5 939.75 (2) (a) 1. “Anembryonic pregnancy” has the meaning given in s. 20.927  
6 (1g) (b).

7 **SECTION 24.** 939.75 (2) (a) 2. of the statutes is created to read:

8 939.75 (2) (a) 2. “Ectopic pregnancy” has the meaning given in s. 20.927 (1g)  
9 (c).

10 **SECTION 25.** 939.75 (2) (a) 4. of the statutes is created to read:

11 939.75 (2) (a) 4. “Molar pregnancy” has the meaning given in s. 20.927 (1g)  
12 (d).

13 **SECTION 26.** 940.15 (1) of the statutes is renumbered 940.15 (1) (intro.) and  
14 amended to read:

15 940.15 (1) (intro.) In this section, ~~“viability”~~:

16 (e) “Viability” means that stage of fetal development when, in the medical  
17 judgment of the attending physician based on the particular facts of the case before  
18 him or her, there is a reasonable likelihood of sustained survival of the fetus outside  
19 the womb, with or without artificial support.

20 **SECTION 27.** 940.15 (1) (a) of the statutes is created to read:

21 940.15 (1) (a) “Abortion” does not include a physician’s performance of a  
22 medical procedure or treatment designed or intended to prevent the death of a  
23 pregnant woman and not designed or intended to kill the unborn child, including an  
24 early induction or cesarean section performed due to a medical emergency or the

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1 removal of a dead embryo or dead fetus, or an ectopic pregnancy, anembryonic  
2 pregnancy, or molar pregnancy, which results in injury to or death of the woman's  
3 unborn child when the physician makes reasonable medical efforts under the  
4 circumstances to preserve both the life of the woman and the life of her unborn child  
5 according to reasonable medical judgment and appropriate interventions for the  
6 gestational age of the child.

7 **SECTION 28.** 940.15 (1) (b) of the statutes is created to read:

8 940.15 (1) (b) "Anembryonic pregnancy" has the meaning given in s. 20.927  
9 (1g) (b).

10 **SECTION 29.** 940.15 (1) (c) of the statutes is created to read:

11 940.15 (1) (c) "Ectopic pregnancy" has the meaning given in s. 20.927 (1g) (c).

12 **SECTION 30.** 940.15 (1) (d) of the statutes is created to read:

13 940.15 (1) (d) "Molar pregnancy" has the meaning given in s. 20.927 (1g) (d).

14 **(END)**