



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1843/1
SWB:wlj

2025 SENATE BILL 406

August 28, 2025 - Introduced by Senators JACQUE and BRADLEY, cosponsored by Representatives WICHGERS, BRILL, ALLEN, BEHNKE, KNODL, KREIBICH, MURPHY, PENTERMAN and GOEBEN. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

- 1 **AN ACT** *to amend* 253.12 (3) (a) 1. (intro.), 253.12 (3) (a) 1. a. and 253.12 (4) (a);
2 *to create* 69.186 (1) (m), 69.186 (1) (n) and 253.12 (3) (a) 5. of the statutes;
3 **relating to:** reporting of sex and fetal anomaly following induced abortion.

Analysis by the Legislative Reference Bureau

This bill requires a hospital, clinic, or other facility in which an induced abortion is performed to report additional information in its required annual report to the Department of Health Services. Under current law, the report must include, among other pieces of information, for each patient, the state, and county if Wisconsin, of residence; certain demographic information; the month and year in which the abortion was performed; the number of weeks since the patient's last menstrual period; whether the abortion was chemically or surgically induced or surgically induced following a failed chemical abortion; any resulting complications; and certain information for abortions of an unborn child capable of experiencing pain. To the information required in the report this bill adds the sex of the aborted unborn child if the sex can be determined by visual inspection, whether the aborted unborn child had a fetal anomaly, and the nature of the fetal anomaly if the aborted unborn child had one. Under the bill, DHS must incorporate information reported regarding an aborted unborn child's fetal anomaly in the birth defect registry that currently exists.

SENATE BILL 406**SECTION 1**

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

SECTION 1. 69.186 (1) (m) of the statutes is created to read:

69.186 (1) (m) The sex of the aborted unborn child if the sex can be determined by visual inspection.

SECTION 2. 69.186 (1) (n) of the statutes is created to read:

69.186 (1) (n) Whether the aborted unborn child had a fetal anomaly and, if so, the nature of the fetal anomaly.

SECTION 3. 253.12 (3) (a) 1. (intro.) of the statutes is amended to read:

253.12 (3) (a) 1. (intro.) Establish and maintain an up-to-date registry that documents the diagnosis in this state of any unborn child who has a fetal anomaly or any infant or child who has a birth defect, regardless of the residence of the infant or child. The department shall include in the registry information that will facilitate all of the following:

SECTION 4. 253.12 (3) (a) 1. a. of the statutes is amended to read:

253.12 (3) (a) 1. a. Identification of risk factors for fetal anomalies and birth defects.

SECTION 5. 253.12 (3) (a) 5. of the statutes is created to read:

253.12 (3) (a) 5. Incorporate information reported under s. 69.186 (1) (n) into the registry and into any reports and analyses created from the registry.

SECTION 6. 253.12 (4) (a) of the statutes is amended to read:

253.12 (4) (a) Make recommendations to the department regarding the establishment of a registry that documents the diagnosis in the state of an unborn child who has a fetal anomaly or an infant or child who has a birth defect, as

SENATE BILL 406**SECTION 6**

1 required under sub. (3) (a) 1., the specific birth defects for which a report is required
2 under sub. (2) on which the council unanimously decides, the rules that the
3 department is required to promulgate under sub. (3) (a) 3., and on the general
4 content and format of the report under sub. (2) and procedures for submitting the
5 report. The council shall also make recommendations regarding the content of a
6 report that, because of the application of sub. (2) (d), does not contain the name of
7 the subject of the report.

8 (END)