

HOUSE BILL NO. HB0235

Human life protection act.

Sponsored by: Representative(s) Neiman, Andrew, Baker,
Bear, Eklund, Flitner, Gray, Heiner,
Jennings, Ottman, Rodriguez-Williams,
Romero-Martinez and Styvar and Senator(s)
French, Hicks, Hutchings and Steinmetz

A BILL

for

1 AN ACT relating to abortions; limiting the circumstances
2 under which an abortion may be performed; specifying means
3 of care; limiting the use of appropriated funds; modifying
4 a penalty; requiring rulemaking; repealing provisions; and
5 providing for effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 35-6-102, 35-6-103, 35-6-109,
10 35-6-116, 35-6-117 and 35-6-118(a)(intro) are amended to
11 read:

12

13 **35-6-102. Limitation on abortions; exception.**

14

1 To further the purposes of article 1, section 2 of the
2 Wyoming constitution, an abortion shall not be performed
3 ~~after the embryo or fetus has reached viability~~ except when
4 necessary to preserve the woman from an imminent peril that
5 ~~substantially~~ clearly endangers her life, ~~or health,~~
6 ~~according to appropriate medical judgment.~~

7

8 **35-6-103. Intentional termination prohibited; means**
9 **of care.**

10

11 A physician who performs an abortion procedure employed
12 pursuant to W.S. 35-6-102 shall not intentionally terminate
13 ~~the viability of~~ the unborn infant prior to, during or
14 following the procedure. Commonly accepted means of care
15 for the unborn infant's gestational age shall be employed
16 in the treatment of any infant aborted alive.

17

18 **35-6-109. Rules and regulations for disposal of**
19 **bodies and parts thereof.**

20

21 The state department of health ~~may~~ shall prescribe rules
22 and regulations for the disposal of the bodies, tissues,

1 organs and parts thereof of an unborn child, human fetus or
2 human embryo which has been aborted.

3

4 **35-6-116. Advertising drug or nostrum for procuring**
5 **abortion or miscarriage.**

6

7 Whoever prints or publishes any advertisement of any drug
8 or nostrum with intent to obtain utilization of such drug
9 or nostrum for procuring abortion or miscarriage; or sells
10 or gives away, or keeps for sale or gratuitous
11 distribution, any newspaper, circular, pamphlet, or book
12 containing such advertisement, or any account or
13 description, of such drug or nostrum with intent to obtain
14 utilization of such drugs or nostrum to procure abortion or
15 miscarriage, shall be fined not more than ~~one hundred~~
16 ~~dollars—(\$100.00)—~~five thousand dollars (\$5,000.00), to
17 which may be added imprisonment in the county jail for not
18 more than six (6) months.

19

20 **35-6-117. Use of appropriated funds for abortion**
21 **prohibited; exceptions.**

22

1 No funds appropriated by the legislature of the state of
2 Wyoming shall be used to pay for abortions except when ~~the~~
3 ~~pregnancy is the result of incest as defined by W.S.~~
4 ~~6-4-402 or sexual assault as defined by W.S. 6-2-301 if the~~
5 ~~assault is reported to a law enforcement agency within five~~
6 ~~(5) days after the assault or within five (5) days after~~
7 ~~the time the victim is capable of reporting the assault, or~~
8 ~~when~~ the life of the mother would be endangered if the
9 unborn child was carried to full term.

10

11 **35-6-118. Procedure governing abortion performed upon**
12 **minor.**

13

14 (a) An abortion shall not be performed upon a minor
15 unless at least one (1) of the minor's parents or her
16 guardian are notified ~~in writing at least forty eight (48)~~
17 ~~hours before the abortion, and the attending physician has~~
18 ~~obtained the written consent of the minor and at least one~~
19 ~~(1) parent or guardian of the minor, unless: and the life~~
20 of the minor is endangered as provided by W.S. 35-6-102.

21

22 **Section 2.** W.S. 35-6-104, 35-6-112, 35-6-118(a)(i),
23 (ii) and (b) are repealed.

1

2 **Section 3.** On or before July 1, 2021, the department
3 of health shall promulgate any rules necessary to
4 administer this act.

5

6 **Section 4.**

7

8 (a) Except as provided in subsection (b) of this
9 section, this act is effective July 1, 2021.

10

11 (b) Sections 3 and 4 are effective immediately upon
12 completion of all acts necessary for a bill to become law
13 as provided by Article 4, Section 8 of the Wyoming
14 Constitution.

15

16

(END)