

HOUSE BILL NO. HB0134

Human heartbeat protection act.

Sponsored by: Representative(s) Gray, Andrew, Baker, Bear, Blackburn, Flitner, Fortner, Haroldson, Harshman, Knapp, Laursen, Neiman, Ottman, Rodriguez-Williams, Romero-Martinez, Styvar, Wharff and Winter and Senator(s) Biteman, Boner, Bouchard, Hicks, Hutchings, Kinskey and McKeown

A BILL

for

1 AN ACT relating to public health; providing that no
 2 abortion shall be performed after the embryo or fetus has a
 3 detectable fetal heartbeat; modifying laws from a viability
 4 to a detected heartbeat standard; and providing for an
 5 effective date.

6

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

8

9 **Section 1.** W.S. 35-6-101(a)(i), by creating a new
 10 paragraph (xii) and by renumbering (xii) as (xiii) and
 11 35-6-102 through 35-6-104 are amended to read:

12

13 **35-6-101. Definitions.**

1

2 (a) As used in the act, unless the context otherwise
3 requires:

4

5 (i) "Abortion" means an act, procedure, device
6 or prescription administered to or prescribed for a
7 pregnant woman by any person with knowledge of the
8 pregnancy, including the pregnant woman herself, with the
9 intent of producing the premature expulsion, removal or
10 termination of a human embryo or fetus, except that in
11 cases in which the ~~viability~~detectable fetal heartbeat of
12 the embryo or fetus is threatened by continuation of the
13 pregnancy, early delivery after ~~viability~~the detection of
14 a fetal heartbeat by commonly accepted obstetrical
15 practices shall not be construed as an abortion;

16

17 (xii) "Detectable fetal heartbeat" means cardiac
18 activity or the steady and repetitive rhythmic contraction
19 of the fetal heart within the gestational sac that is
20 detectable using standard medical equipment;

21

22 ~~(xii)~~(xiii) "This act" means W.S. 35-6-101
23 through 35-6-119.

1

2 **35-6-102. No abortion after heartbeat; exception.**

3

4 An abortion shall not be performed after the embryo or
5 fetus has ~~reached viability~~ a detectable fetal heartbeat
6 except when necessary to preserve the woman from an
7 imminent peril that substantially endangers her life or
8 health, according to appropriate medical judgment.

9

10 **35-6-103. Viability not affected by abortion.**

11

12 A physician who performs an abortion procedure employed
13 pursuant to W.S. 35-6-102 shall not intentionally terminate
14 the ~~viability~~ heartbeat of the unborn infant prior to,
15 during or following the procedure.

16

17 **35-6-104. Means of treatment for viable abortion.**

18

19 The commonly accepted means of care shall be employed in
20 the treatment of any ~~viable~~ infant aborted ~~alive~~ with a
21 detectable heartbeat with any chance of survival.

22

23 **Section 2.** W.S. 35-6-101(a)(vii) is repealed.

1

2 **Section 3.** This act is effective July 1, 2021.

3

4

(END)