

SENATE FILE NO. SF0109

Prohibiting chemical abortions.

Sponsored by: Senator(s) Salazar, Biteman, Boner, Brennan, Dockstader, French, Furphy, Hutchings, Ide, Kolb, Laursen, D, McKeown, Schuler and Steinmetz and Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Davis, Haroldson, Hornok, Jennings, Knapp, Locke, Neiman, O'Hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Styvar, Trujillo, Ward and Washut

A BILL

for

1 AN ACT relating to abortions; prohibiting chemical abortion
 2 drugs for abortions as specified; providing criminal
 3 penalties; providing definitions; specifying exceptions;
 4 making conforming amendments; 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. 35-6-120 is created to read:

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11 **35-6-120. Chemical abortion drugs prohibited;**
 12 **exceptions; penalty.**

1

2 (a) Notwithstanding any other provision of law, no
3 person shall manufacture, distribute, prescribe, dispense,
4 sell, transfer or use any chemical abortion drug in the
5 state for the purpose of procuring or performing an
6 abortion.

7

8 (b) The prohibition in subsection (a) shall not apply
9 to:

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11 (i) The sale, use, prescription or
12 administration of any contraceptive agent administered
13 before conception or before pregnancy can be confirmed
14 through conventional medical testing;

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16 (ii) The treatment of a natural miscarriage
17 according to currently accepted medical guidelines;

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19 (iii) Treatment necessary to preserve the woman
20 from an imminent peril that substantially endangers her
21 life or health, according to appropriate medical judgment,
22 or the pregnancy is the result of incest as defined by W.S.
23 6-4-402 or sexual assault as defined by W.S. 6-2-301. As

1 used in this paragraph, "imminent peril" means only a
2 physical condition and shall not include any psychological
3 or emotional conditions. No medical treatment shall form
4 the basis for an exception under this paragraph if it is
5 based on a claim or diagnosis that the pregnant woman will
6 engage in conduct which she intends to result in her death
7 or other self-harm.

8
9 (c) Except as otherwise provided in this section, any
10 physician or other person who violates subsection (a) of
11 this section is guilty of a misdemeanor punishable by
12 imprisonment for not more than six (6) months, a fine not
13 to exceed nine thousand dollars (\$9,000.00), or both.

14
15 (d) A woman upon whom an abortion is performed or
16 attempted in which a chemical abortion drug is used shall
17 not be criminally prosecuted pursuant to subsection (c) of
18 this section.

19
20 **Section 2.** W.S. 35-6-101(a)(vi), by creating a new
21 paragraph (xii) and by amending and renumbering (xii) as
22 (xiii) is amended to read:

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1 **35-6-101. Definitions.**

2

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

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6 (vi) "Pregnant" or "pregnancy" means that
7 condition of a woman who has a human embryo or fetus within
8 her as the result of conception;

9

10 (xii) "Chemical abortion drug" means
11 mifepristone, misoprostol, mifeprex, mifegyne or any
12 substantially similar generic or non-generic drug or
13 chemical dispensed for purposes of causing an abortion;

14

15 ~~(xii)~~(xiii) "This act" means W.S. 35-6-101
16 through ~~35-6-119~~35-6-120.

17

18 **Section 3.** This act is effective July 1, 2023.

19

20

(END)