



HB0148

Regulation of abortions.

Sponsored By: Representative(s) Lawley, Bear and Washut and
Senator(s) Biteman, Boner, Brennan, Hutchings,
Salazar and Steinmetz

AN ACT relating to public health and safety; requiring the licensure of surgical abortion facilities as specified; requiring licensed physicians to perform chemical and surgical abortions after an ultrasound; providing criminal penalties for violations; specifying civil liability for damages resulting from abortions; providing definitions; making conforming amendments; specifying applicability; requiring rulemaking; and providing for an effective date.

2/9/2024 Bill Number Assigned
2/12/2024 H Received for Introduction
2/14/2024 H Introduced and Referred to H01 - Judiciary 53-8-1-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Banks, Bear, Berger, Brown, Burkhardt, Jr, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Wylie, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Byron, Chestek, Henderson, Provenza, Sherwood, Storer, Winter, Yin

Excused: Representative Angelos

Ayes 53 **Nays** 8 **Excused** 1 **Absent** 0 **Conflicts** 0

2/20/2024 H01 - Judiciary:Recommend Amend and Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Crago, Haroldson, Jennings, Niemiec, Oakley, Rodriguez-Williams, Washut

Nays: Representative(s) Chestek, Provenza

Ayes 7 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/20/2024 H Placed on General File

HB0148HS001/ADOPTED

Page 1-line 7 Delete "requiring reports;".

Page 8-line 7 Delete "not less than one (1) time per year" and insert "every three (3) years".

Page 8-line 17 Delete "and 35-2-908 are" and insert "is".

Page 9-lines 8 through 22 Delete entirely. WASHUT, CHAIRMAN

HB0148HW001/ADOPTED

Page 9-after line 22 Insert:

"Section 3.

(a) Nothing in this act shall be construed as creating an individual right to abortion.

(b) It is the intent of the legislature that this act shall not be construed as holding abortion as lawful in the state pending a decision from a court of competent jurisdiction on the current state of the law.

(c) It is the intent of the legislature that this act shall not recognize or define abortion as a health care decision under Article 1, section 38 of the Wyoming Constitution."

Page 10-line 1 Delete "**Section 3.**" and insert "**Section 4.**".

Page 10-line 4 Delete "**Section 4.**" and insert "**Section 5.**". RODRIGUEZ-WILLIAMS, LAWLEY

2/21/2024 H COW:Passed

HB0148H2001/ADOPTED

Page 1-line 3 After "abortions" insert "after an ultrasound".

Page 1-line 12 Delete "35-6-204" and insert "35-6-205".

Page 7-line 13 After "section" insert "or if a pharmacist or physician violates W.S. 35-6-205".

Page 8-after line 15 Insert:

"35-6-205. Abortion facilities; licensure requirements verification; prohibitions; penalties.

Not less than forty-eight (48) hours before a pregnant woman procures the drugs or substances for a chemical abortion, before a physician or pharmacist dispenses the drugs or substances necessary for a chemical abortion or before a pregnant woman undergoes a surgical abortion, the physician or pharmacist shall ensure that the pregnant woman receives an ultrasound in order to determine the gestational age of the unborn child, to determine the location of the pregnancy, to verify a viable intrauterine pregnancy and to provide the pregnant woman the opportunity to view the active ultrasound of the unborn child and hear the heartbeat of the unborn child if the heartbeat is audible. The provider of the ultrasound shall provide the pregnant woman with a document that specifies the date, time and place of the ultrasound.". NEIMAN, LAWLEY, O'HEARN, PENN

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Burkhart, Jr, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie

Nays: Representative(s) Brown, Byron, Chadwick, Chestek, Henderson, Nicholas, Provenza, Sherwood, Storer, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Ayes 50 **Nays** 12 **Excused** 0 **Absent** 0 **Conflicts** 0

HB0148H2002/ADOPTED

Page 4-line 14 After "facility" insert ", other than a hospital,".
Page 6-line 20 After "performed" insert "at a surgical abortion facility".
Page 7-line 2 After "abortion" insert "at a surgical abortion facility".
Page 7-line 6 After "abortion" insert "at a surgical abortion facility".
Page 7-line 15 After "abortion" insert "at a surgical abortion facility". CRAGO

2/22/2024 H 2nd Reading:Passed

HB0148H3001/FAILED

Page 8-after line 15 In the Neiman second reading amendment (HB0148H2001/A) to this line, delete "Not less than forty-eight (48) hours". YIN

2/23/2024 H 3rd Reading:Passed 53-9-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie

Nays: Representative(s) Chestek, Henderson, Nicholas, Provenza, Sherwood, Storer, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Ayes 53 **Nays** 9 **Excused** 0 **Absent** 0 **Conflicts** 0

2/26/2024 S Received for Introduction
2/26/2024 S Introduced and Referred to S10 - Labor
2/28/2024 S10 - Labor:Recommend Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Barlow, Bouchard, Dockstader, Hutchings

Nays: Senator Baldwin

Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/28/2024 S Placed on General File

HB0148SW001/ADOPTED

(TO ENGROSSED COPY)

Page 1-above line 1 In the catch title, delete "surgical".
Page 1-line 3 After "perform" insert "chemical and surgical".
Page 8-line 20 After "**facilities;**" delete balance of line.
Page 8-line 21 Delete entirely and insert "**ultrasounds.**". BONER
2/28/2024 S COW:Passed

2/29/2024 S 2nd Reading:Passed

HB0148S3001/FAILED

(TO ENGROSSED COPY)

Page 9-line 1

Delete "Not less than forty-eight (48) hours". ROTHFUSS

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Case, Cooper, Ellis, Gierau, Nethercott, President Driskill, Rothfuss, Schuler, Scott

Nays: Senator(s) Biteman, Boner, Bouchard, Brennan, Dockstader, French, Furphy, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Laursen, Mckeown, Pappas, Salazar, Steinmetz

Excused: Senator Landen

Ayes 12 Nays 18 Excused 1 Absent 0 Conflicts 0

3/1/2024 S 3rd Reading:Passed 24-6-1-0-0

ROLL CALL

Ayes: Senator(s) Barlow, Biteman, Boner, Bouchard, Brennan, Cooper, Dockstader, Ellis, French, Furphy, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Salazar, Schuler, Steinmetz

Nays: Senator(s) Anderson, Baldwin, Case, Gierau, Rothfuss, Scott

Excused: Senator Landen

Ayes 24 Nays 6 Excused 1 Absent 0 Conflicts 0

3/4/2024 H Received for Concurrence

3/4/2024 H Concur:Passed 50-5-7-0-0

ROLL CALL

Ayes: (s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhardt, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Strock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter, Wylie

Nays: (s) Chestek, Provenza, Storer, Yin, Zwonitzer, Dan

Excused: (s) Henderson, Larsen, Lloyd, Nicholas, Sherwood, Stith, Walters, Zwonitzer, Dave

Ayes 50 Nays 5 Excused 7 Absent 0 Conflicts 0

3/4/2024 Assigned Number HEA No. 0037

3/5/2024 H Speaker Signed HEA No. 0037

3/5/2024 S President Signed HEA No. 0037

3/22/2024 Governor Vetoed HEA No. 0037