

- 1 Page 1-line 1 After "relating to" insert "the Wyoming
2 constitution,".
3
- 4 Page 1-line 3 After "exceptions;" insert "providing
5 definitions;".
6
- 7 Page 1-line 11 After "**purposes**" insert "**; legislative
8 findings; definitions**".
9
- 10 Page 1-line 13 Before "For purposes" insert "(a)".
11
- 12 Page 2-line 3 After "care" delete "." and insert "in
13 addition to the following exceptions:
14
- 15 (i) Performing a pre-viability separation procedure
16 necessary in the physician's reasonable medical judgment to
17 prevent the death of the pregnant woman, a substantial risk of
18 death for the pregnant woman because of a physical condition or
19 the serious and permanent impairment of a life-sustaining organ of
20 the pregnant woman, provided that no separation procedure shall be
21 deemed necessary under this paragraph unless the physician makes
22 all reasonable medical efforts under the circumstances to preserve
23 both the life of the pregnant woman and the life of the unborn
24 baby in a manner consistent with reasonable medical judgment;
25
- 26 (ii) Providing medical treatment to a pregnant woman
27 that results in the accidental or unintentional injury to, or the
28 death of, an unborn baby;
29
- 30 (iii) Performing an abortion on a woman when the
31 pregnancy is the result of incest as defined by W.S. 6-4-402 or
32 sexual assault as defined by W.S. 6-2-301(a)(v). Prior to the
33 performance of any abortion under this paragraph the woman, or the
34 woman's parent or guardian if the woman is a minor or subject to
35 a guardianship, shall report the act of incest or sexual assault
36 to a law enforcement agency and a copy of the report shall be
37 provided to the physician; or
38
- 39 (iv) Performing an abortion on a woman when, in the
40 physician's reasonable medical judgment, there is a substantial
41 likelihood that the unborn baby has a lethal fetal anomaly or the
42 pregnancy is determined to be a molar pregnancy.
43
- 44 (b) The legislature finds that:

1
2 (i) As a consequence of an unborn baby being a member
3 of the species home sapiens from conception, an unborn baby is a
4 member of the human race under article 1, section 2 of the Wyoming
5 constitution;

6
7 (ii) The legislature acknowledges that all members of
8 the human race are created equal and are endowed by their creator
9 with certain unalienable rights, the foremost of which is the right
10 to life;

11
12 (iii) This act promotes and furthers article 1, section
13 6 of the Wyoming constitution, which guarantees that no person may
14 be deprived of life or liberty without due process of law;

15
16 (iv) Regarding article 1, section 38 of the Wyoming
17 constitution, abortion as defined in this act is not health care.
18 Abortion is the termination of the life of an unborn baby. It is
19 within the authority of the state of Wyoming to determine
20 reasonable and necessary restrictions upon abortion, including its
21 prohibition. In accordance with article 1, section 38(c) of the
22 Wyoming constitution, the legislature determines that the health
23 and general welfare of the people requires the prohibition of
24 abortion as defined in this act;

25
26 (v) The legislature, in the exercise of its
27 constitutional duties and powers, has a fundamental duty to provide
28 equal protection to all human lives, including unborn babies from
29 conception;

30
31 (vi) Wyoming's "legitimate interests include respect
32 for the preservation of prenatal life at all stages of development;
33 the protection of maternal health and safety; the elimination of
34 particularly gruesome or barbaric medical procedures; the
35 preservation of integrity of the medical profession; the
36 mitigation of fetal pain; and the prevention of discrimination on
37 the basis of race, sex or disability." *Dobbs v. Jackson Women's*
38 *Health Org.*, 142 S. Ct. 2228, 2284 (2022) (internal citations
39 omitted);

40
41 (vii) The legislature recognizes the need to protect
42 the health and general welfare of the people of Wyoming. In
43 accordance with this purpose, the definition and rules specified
44 in this section are provided to advance the health, welfare and
45 safety of all people in Wyoming.

46
47 (c) As used in this act:

1
2 (i) "Abortion" means the act of using or prescribing
3 any instrument, medicine, drug or any other substance, device or
4 means with the intent to terminate the clinically diagnosable
5 pregnancy of a woman, including the elimination of one (1) or more
6 unborn babies in a multifetal pregnancy, with knowledge that the
7 termination by those means will, with reasonable likelihood, cause
8 the death of the unborn baby. "Abortion" shall not include any
9 use, prescription or means specified in this paragraph if the use,
10 prescription or means are done with the intent to:

11
12 (A) Save the life or preserve the health of the
13 unborn baby;

14
15 (B) Save the life or preserve the health of the
16 pregnant woman;

17
18 (C) Remove a dead unborn baby caused by a
19 spontaneous abortion or intrauterine fetal demise;

20
21 (D) Treat a woman for an ectopic pregnancy;

22
23 (E) Treat a pregnant woman for cancer or another
24 disease that requires medical treatment which treatment may be
25 fatal or harmful to the unborn baby.

26
27 (ii) "Ectopic pregnancy" means a pregnancy that occurs
28 when a fertilized egg implants and grows outside the main cavity
29 of the uterus;

30
31 (iii) "Lethal fetal anomaly" means a fetal condition
32 diagnosed before birth and if the pregnancy results in a live birth
33 there is a substantial likelihood of death of the child within
34 hours of the child's birth;

35
36 (iv) "Molar pregnancy" means the development of a tumor
37 or cyst that may or may not include placental tissue from
38 trophoblastic cells after fertilization of an egg that results in
39 spontaneous abortion or intrauterine fetal demise;

40
41 (v) "Pregnant" means the human female reproductive
42 condition of having a living unborn baby or human being within a
43 human female's body throughout the entire embryonic and fetal
44 stages of the unborn human being from fertilization, when a
45 fertilized egg has implanted in the wall of the uterus, to full
46 gestation and childbirth;

47

1 (vi) "Reasonable medical judgment" means a medical
2 judgment that would be made by a reasonably prudent physician who
3 is knowledgeable about the case and the treatment possibilities
4 with respect to the medical conditions involved;

5
6 (vii) "Unborn baby" or "unborn human being" means an
7 individual living member of the species homo sapiens throughout
8 the entire embryonic and fetal stages from fertilization to full
9 gestation and childbirth.". RODRIGUEZ-WILLIAMS, CHAIRMAN