

ENROLLED ACT NO. 35, HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 GENERAL SESSION

AN ACT relating to abortions; requiring ultrasounds before the procurement of chemical abortions; providing verification requirements; providing definitions; providing penalties; specifying applicability; providing for the conflict of laws; and providing for an effective date.

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

Section 1. W.S. 35-6-201 and 35-6-202 are created to read:

ARTICLE 2

REGULATION OF ABORTIONS

35-6-201. Chemical abortions; ultrasound requirement; definitions; penalties.

(a) As used in this article:

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

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

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(B) Remove a dead unborn baby caused by spontaneous abortion or intrauterine fetal demise;

(C) Treat a woman for an ectopic pregnancy;
or

(D) Treat a woman for cancer or another disease that requires medical treatment which treatment may be fatal or harmful to the unborn baby.

(ii) "Chemical abortion" means the use of any medication, drug, substance or combination thereof that is prescribed or administered for the purpose of terminating a pregnancy once the pregnancy can be confirmed through conventional medical testing;

(iii) "Health care provider" means a person licensed, certified or authorized in a health care profession under title 33 of the Wyoming statutes;

(iv) "Pregnancy" or "pregnant" means the human female reproductive condition of having a living unborn baby or human being within a human female's body throughout the entire embryonic and fetal stages of the unborn baby or human being from fertilization, when a fertilized egg has implanted in the wall of the uterus, to full gestation and childbirth.

(b) Not less than forty-eight (48) hours before a pregnant woman procures the drugs or substances for a chemical abortion or before a health care provider dispenses the drugs or substances necessary for a chemical abortion, whichever is earlier, the pregnant woman shall receive an ultrasound in order to provide the pregnant woman the opportunity to view the active ultrasound of the

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unborn baby and view the fetal heart motion or hear the heartbeat of the unborn baby if the heartbeat is audible.

(c) The ultrasound required under subsection (b) of this section shall be of a quality consistent with standard medical practice in the community.

(d) Upon providing an ultrasound under this section, the provider of the ultrasound shall provide the pregnant woman with a document that specifies:

(i) The date, time and place of the ultrasound;

(ii) The health care provider who ordered or requested the ultrasound;

(iii) The health care provider who performed the ultrasound;

(iv) Confirmation of intrauterine pregnancy and the gestational age of the unborn baby.

(e) Before a health care provider dispenses the drugs or substances necessary for a chemical abortion to a pregnant woman, the health care provider shall verify that the ultrasound required by this section occurred.

(f) Except as otherwise provided in this subsection, any person who violates this section shall be guilty of a misdemeanor punishable by imprisonment for not more than six (6) months, a fine not to exceed nine thousand dollars (\$9,000.00), or both. Nothing in this section shall be construed to subject a pregnant woman to any criminal penalty under this subsection.

ORIGINAL HOUSE
BILL NO. HB0064

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35-6-202. Ultrasound requirement; conflict of laws; applicability.

If any provision of this article conflicts with the Life is a Human Right Act or W.S. 35-6-139, the provisions of the Life is a Human Right Act and W.S. 35-6-139 shall control over this article to the extent that the Life is a Human Right Act and W.S. 35-6-139 are enforceable.

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk