



HB0126

Human heartbeat act.

Sponsored By: Representative(s) Neiman, Angelos, Banks, Bear, Brady, Connolly, Geringer, Guggenmos, Haroldson, Heiner, Hoeft, Johnson, Lawley, Lien, Locke, Lucas, McCann, Ottman, Pendergraft, Rodriguez-Williams, Schmid, Singh, Smith, Styvar, Webb, Webber and Wharff and Senator(s) Biteman, Boner, Brennan, Dockstader, Hicks, Hutchings, Ide, Laursen, D, Love, Olsen, Pearson, Salazar and Steinmetz

AN ACT relating to public health and safety; providing legislative findings; specifying requirements associated with the termination of pregnancies; prohibiting procedures that terminate the life of a child with a detectable heartbeat; specifying exceptions to the prohibition; specifying penalties; providing definitions; making conforming amendments; and providing for an effective date.

2/9/2026 Bill Number Assigned
2/9/2026 H Received for Introduction
2/10/2026 H Introduced and Referred to H10 - Labor 51-10-1-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Brown, L, Campbell, K, Clouston, Connolly, Davis, Erickson, Filer, Fornstrom, Geringer, Guggenmos, Haroldson, Harshman, Heiner, Hoeft, Johnson, Knapp, Larsen, L, Larson, Jt, Lawley, Lien, Locke, Lucas, Mccann, Neiman, Ottman, Pendergraft, Riggins, Rodriguez-Williams, Schmid, Singh, Smith, Strock, Styvar, Tarver, Thayer, Washut, Wasserburger, Webb, Webber, Wharff, Williams, Winter, Yylie

Nays: Representative(s) Byron, Campbell, E, Chestek, Jarvis, Nicholas, Posey, Provenza, Sherwood, Storer, Yin

Excused: Representative Kelly

Ayes 51 **Nays** 10 **Excused** 1 **Absent** 0 **Conflicts** 0

2/17/2026 H10 - Labor:Recommend Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Clouston, Guggenmos, Hoeft, Mccann, Ottman, Rodriguez-Williams, Wasserburger

Nays: Representative(s) Thayer, Yin

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

2/17/2026 H Placed on General File
2/19/2026 H COW:Passed
2/20/2026 H 2nd Reading:Laid Back
2/21/2026 H 2nd Reading:Laid Back

HB0126H2001/FAILED

Page 1-above line 1 In the catch title, delete "Human heartbeat act." and insert "The viability standard."

Page 1-lines 1 through 7 Delete entirely and insert:

"AN ACT relating to abortion; prohibiting the state from denying or interfering with a person's right to have an abortion before viability of the fetus or to

protect the person's life or health; prohibiting unauthorized abortions; specifying a penalty; providing definitions; repealing a conflicting provision; and providing for an effective date.".

Page 1-line 11 Delete entirely.

Pages 2 through 8 Delete entirely and insert:

"Section 1. W.S. 35-6-140 through 35-6-147 are created to read:

35-6-140. Definitions.

(a) As used in this act:

(i) "Abortion" means any medical treatment, medication or procedure intended to induce the termination of a pregnancy, except for the purpose of producing a live birth;

(ii) "Advanced practice registered nurse" means as defined by W.S. 33-21-120(a)(i);

(iii) "Health care provider" means a person who is licensed, certified or otherwise authorized or permitted by the laws of this state to administer health care in the ordinary course of business or practice of a profession;

(iv) "Physician" means a person licensed to practice medicine as a physician under the Medical Practice Act;

(v) "Physician assistant" means a person licensed to practice medicine as a physician assistant under the Medical Practice Act;

(vi) "Pregnancy" means the reproductive process beginning with the implantation of an embryo in a uterus;

(vii) "Private medical facility" means any medical facility that is not owned or operated by the state;

(viii) "State" means the state of Wyoming and any authority, board, commission, department, division or separate operating agency of the executive, legislative or judicial branch of the state of Wyoming, including its political subdivisions and instrumentalities;

(ix) "Viability" means the point in the pregnancy when, in the judgment of the physician, physician assistant, advanced practice registered nurse or other health care provider acting within the provider's scope of practice on the particular facts of the case before the physician, physician assistant, advanced practice registered nurse or other health care provider acting within the health care provider's scope of practice, there is a significant likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures;

(x) "This act" means W.S. 35-6-140 through 35-6-147.

35-6-141. Right to have and provide an abortion.

(a) The state shall not deny or interfere with a person's right to have an abortion:

- (i) Prior to the viability of the fetus; or
- (ii) To protect the person's life or health.

(b) A physician, physician assistant, advanced practice registered nurse or other health care provider acting within the provider's scope of practice may terminate a pregnancy as permitted by this act.

(c) A health care provider may assist a physician, physician assistant, advanced practice registered nurse or other health care provider acting within the health care provider's scope of practice in terminating a pregnancy as permitted by this act.

35-6-142. Unauthorized abortions; penalty.

(a) Unless otherwise authorized by this act, any person who provides medical treatment, provides medication or performs a procedure intended to induce the termination of a pregnancy shall be guilty of a misdemeanor punishable by a fine not to exceed five thousand dollars (\$5,000.00).

(b) Except as provided in subsection (a) of this section, the state shall not penalize, prosecute or otherwise take adverse action against a person for aiding or assisting a person seeking an abortion in exercising the person's right to have an abortion under this act.

(c) Nothing in this act shall be construed to subject a person upon whom any abortion is performed or attempted to any criminal penalty under this act.

35-6-143. Defense to prosecution.

The good faith judgment of a physician, physician assistant, advanced practice registered nurse or other health care provider acting within the provider's scope of practice as to the viability of the fetus or as to the risk to the life or health of a person seeking an abortion shall be a complete defense in any proceeding for a violation of this act.

35-6-144. State regulation.

(a) Any regulation promulgated by the state relating to abortion shall be valid only if:

(i) The regulation is medically necessary to protect the life or health of the person seeking an abortion;

(ii) The regulation is consistent with established medical practice; and

(iii) Of the available alternatives, the regulation imposes the least restrictions on the person's right to have an abortion under this act.

35-6-145. Refusing to participate in an abortion.

(a) No person or private medical facility shall be required by law or contract to participate in the performance or procurement of an abortion if the person or private medical facility objects to participating in the performance of an abortion.

(b) No person shall be discriminated against in employment or professional privileges because of the person's participation or refusal to participate in the performance or procurement of an abortion.

35-6-146. State provided benefits.

If the state provides, directly or by contract, maternity care benefits, services or information through any program administered or funded in whole or in part by the state, the state shall also provide persons otherwise eligible for the program with substantially equivalent benefits, services or information to permit them to voluntarily terminate their pregnancies.

35-6-147. Construction.

This act shall not be construed to define the state's interest in the fetus for any purpose other than the specific provisions of this act.

Section 2. W.S. 21-16-1801 is repealed."

Page 9-line 1 Delete "**Section 4**" and insert "**Section 3**". YIN, PROVENZA, SHERWOOD, STORER

HB0126H2002/WITHDRAWN

2/23/2026 H 2nd Reading:Passed

HB0126H3001/ADOPTED

Page 7-line 16 Delete "intentionally or knowingly violates" and insert "is convicted of violating".

Page 8-line 3 Delete line through "violates" and insert "is convicted of violating".

Page 8-line 11 Delete "intentionally or knowingly".

Page 8-line 12 Delete "violates" and insert "is convicted of violating".

Page 8-line 19 Delete line through "violates" and insert "is convicted of violating". NEIMAN

2/24/2026 H 3rd Reading:Passed 51-7-4-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Brown, L, Campbell, E, Clouston, Connolly, Davis, Erickson, Filer, Fornstrom, Geringer, Guggenmos, Haroldson, Harshman, Heiner, Hoeft, Jarvis, Johnson, Knapp, Larsen, L, Larson, Jt, Lawley, Lien, Locke, Lucas, Mccann, Neiman, Ottman, Pendergraft, Posey, Riggins, Rodriguez-Williams, Schmid, Singh, Smith, Strock, Styvar, Tarver, Thayer, Washut, Webb, Webber, Williams, Winter, Wylie

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

Excused: Representative(s) Campbell, K, Kelly, Wasserburger, Wharff

Ayes 51 **Nays** 7 **Excused** 4 **Absent** 0 **Conflicts** 0