

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Wyoming pregnancy centers-autonomy and rights.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

1 AN ACT relating to public health and safety; providing
2 legislative findings; prohibiting the state and specified
3 governmental entities from adopting any law, rule or policy
4 that targets pregnancy centers for oversight or regulation
5 based on the centers' stance against abortion; providing
6 definitions; providing penalties; specifying available
7 damages; providing a right of intervention for members of
8 the legislature as specified; making conforming amendments;
9 and providing for an effective date.

10

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

12

1 **Section 1.**

2

3 (a) The legislature finds that:

4

5 (i) Pregnancy centers have a considerable and
6 growing life-affirming impact on the people and communities
7 that they serve;

8

9 (ii) Pregnancy centers serve people in Wyoming
10 and across the United States with integrity and compassion;

11

12 (iii) Pregnancy centers provide comprehensive
13 care to people facing unexpected pregnancies, including
14 resources to meet their physical, psychological, emotional
15 and spiritual needs;

16

17 (iv) Pregnancy centers offer women free,
18 confidential and compassionate services, including
19 pregnancy tests, peer counseling, twenty-four (24) hour
20 telephone hotlines, childbirth and parenting classes,
21 referrals to community health care, adoption referrals and
22 other support services;

23

1 (v) Many medical pregnancy centers offer
2 ultrasounds and other medical services;

3
4 (vi) Pregnancy centers encourage women to make
5 positive life choices by equipping them with complete and
6 accurate information regarding their pregnancy options and
7 the development of their unborn children;

8
9 (vii) Pregnancy centers provide important
10 support and resources for women who choose childbirth over
11 abortion;

12
13 (viii) Pregnancy centers have faced
14 unprecedented attacks since the United States Supreme
15 Court's decision in Dobbs v. Jackson Women's Health
16 Organization, which overturned Roe v. Wade and the federal
17 constitutional right to abortion;

18
19 (ix) Since 2022, at least one-third (1/3) of the
20 states have introduced legislation seeking to undermine
21 pregnancy centers' freedom of speech and association, or
22 legislation to interfere with their hiring and staffing

1 decisions, while numerous municipalities have considered
2 similar ordinances.

3

4 **Section 2.** W.S. 1-39-125 and 35-4-1101 through
5 35-4-1104 are created to read:

6

7 **1-39-125. Liability; Pregnancy centers.**

8

9 A governmental entity is liable for damages resulting from
10 a violation of W.S. 35-4-1103, in accordance with W.S.
11 35-4-1104(a).

12

13 ARTICLE 11

14 PREGNANCY CENTERS - PROTECTION

15

16 **35-4-1101. Short title.**

17

18 This act shall be known and may be cited as the "Wyoming
19 Pregnancy Center Autonomy and Rights of Expression (CARE)
20 Act."

21

22 **35-4-1102. Definitions.**

23

1 (a) As used in this act:

2

3 (i) "Abortion" means the act of using or
4 prescribing any instrument, medicine, drug or any other
5 substance, device or means with the intent to terminate the
6 clinically diagnosable pregnancy of a woman and for the
7 purpose of ensuring the death of the unborn child.
8 "Abortion" shall not include any use, prescription or means
9 specified in this paragraph if the use, prescription or
10 means are done with the intent to:

11

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

14

15 (B) Remove a dead unborn child caused by
16 miscarriage or stillbirth;

17

18 (C) Remove an ectopic pregnancy; or

19

20 (D) Perform a pre-viability separation
21 procedure when the procedure is, based on reasonable
22 medical judgment, necessary to save the life of or prevent
23 serious physical injury to the pregnant woman.

1

2 (ii) "Abortion-inducing drug" means any
3 medicine, drug or any other substance prescribed or
4 dispensed with the intent of terminating the clinically
5 diagnosable pregnancy of a woman and for the purpose of
6 ensuring the death of an unborn child. "Abortion-inducing
7 drug" includes the off-label use of any substance intended
8 to induce an abortion. "Abortion-inducing drug" does not
9 include drugs that may be known to cause an abortion but
10 are prescribed for other medical indications;

11

12 (iii) "Contraception" means the use of any
13 natural or artificial means to prevent the fertilization of
14 a human ovum;

15

16 (iv) "Ectopic pregnancy" means the state of
17 carrying an unborn child outside of the uterine cavity;

18

19 (v) "Miscarriage" or "stillbirth" means a
20 spontaneous loss of an unborn child;

21

22 (vi) "Pregnancy center" means a private
23 nonprofit organization that promotes childbirth and

1 alternatives to abortion and provides people with
2 resources, counseling, classes, referrals and information
3 related to pregnancy, childbearing, adoption and parenting.
4 A medical pregnancy center may provide medical testing,
5 counseling and pregnancy-related care;

6

7 (vii) "Pre-viability separation procedure" means
8 a medical procedure performed by a licensed physician to
9 remove an unborn child from the mother's uterine cavity
10 before that stage of fetal development when, in the
11 physician's reasonable medical judgment based on the
12 particular facts of the case and in light of the most
13 advanced medical technology and information available,
14 there is a reasonable likelihood of sustained survival of
15 the unborn child outside the body of the child's mother,
16 with or without artificial support. "Pre-viability
17 separation procedure" does not include an abortion;

18

19 (viii) "This act" means W.S. 35-4-1101 through
20 35-4-1104.

21

22 **35-4-1103. Interference with pregnancy centers**
23 **prohibited.**

1

2 (a) The state and any of its political subdivisions,
3 counties, cities, towns, special districts and agencies
4 shall not, through the adoption or enactment of any law,
5 ordinance, resolution, policy or similar measure:

6

7 (i) Require a pregnancy center to offer or
8 perform abortions;

9

10 (ii) Require a pregnancy center to offer,
11 provide or distribute abortion-inducing drugs or
12 contraception;

13

14 (iii) Require a pregnancy center to refer any
15 person for abortion, an abortion-inducing drug or
16 contraception;

17

18 (iv) Require a pregnancy center to counsel in
19 favor of abortion, abortion-inducing drugs or
20 contraception;

21

22 (v) Require a pregnancy center to post any
23 advertisement, sign, flyer or other similar material that

1 promotes or provides any information that promotes or
2 provides information about obtaining an abortion,
3 abortion-inducing drugs or contraception;

4

5 (vi) Prohibit a pregnancy center from providing
6 information, care, counseling, classes or other services
7 related to pregnancy, childbirth or parenting because the
8 pregnancy center does not perform, refer or counsel in
9 favor of abortion, abortion-inducing drugs or
10 contraception;

11

12 (vii) Prohibit a pregnancy center from providing
13 prenatal and postnatal resources, including diapers, baby
14 clothes, baby furniture, formula and similar items because
15 the pregnancy center does not perform, refer or counsel in
16 favor of abortion, abortion-inducing drugs or
17 contraception;

18

19 (viii) Prohibit a medical pregnancy center from
20 providing medical testing, counseling and care related to
21 pregnancy or childbirth because the pregnancy center does
22 not perform, refer or counsel in favor of abortion,
23 abortion-inducing drugs or contraception;

1

2 (ix) Prohibit a medical pregnancy center from
3 counseling a woman on any pregnancy-related care or
4 treatment, including care or treatment that may reverse the
5 effects of abortion-inducing drugs;

6

7 (x) Interfere with the pregnancy center's
8 staffing or hiring decisions by requiring the center to
9 interview, hire or continue to employ any person who does
10 not affirm the center's mission statement or agree to
11 comply with the center's pro-life ethic and operating
12 procedure.

13

14 **35-4-1104. Legal remedies; right of intervention.**

15

16 (a) A pregnancy center or any person aggrieved by a
17 violation of this act may commence a civil action for
18 damages, declaratory relief, injunctive relief and any
19 other appropriate relief. A person prevailing in an action
20 under this subsection shall be entitled to recover an
21 amount equal to three (3) times the actual damages
22 sustained. Recovery under this subsection shall be not less
23 than five thousand dollars (\$5,000.00) and shall include

1 all costs and reasonable attorney fees. For purposes of
2 this subsection, damages shall be cumulative and shall in
3 no way be limited by any other remedies that may be
4 available under any other federal, state or municipal law.

5
6 (b) By legislative order, the legislature may appoint
7 one (1) or more members to intervene as a matter of right
8 in any case in which the constitutionality or legality of
9 this act is challenged.

10
11 **Section 3.** W.S. 1-39-104(a) is amended to read:

12
13 **1-39-104. Granting immunity from tort liability;**
14 **liability on contracts; exceptions.**

15
16 (a) A governmental entity and its public employees
17 while acting within the scope of duties are granted
18 immunity from liability for any tort except as provided by
19 W.S. 1-39-105 through 1-39-112 and 1-39-122 through ~~1-39-~~
20 ~~124-~~1-39-125. Any immunity in actions based on a contract
21 entered into by a governmental entity is waived except to
22 the extent provided by the contract if the contract was
23 within the powers granted to the entity and was properly

1 executed and except as provided in W.S. 1-39-120(b). The
2 claims procedures of W.S. 1-39-113 apply to contractual
3 claims against governmental entities.

4

5 **Section 4.** This act is effective July 1, 2026.

6

7

(END)