



**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 216**

June 13, 2013 – Offered by Representatives WRIGHT, BEWLEY, KESSLER, SINICKI, RINGHAND, POPE, GOYKE, BILLINGS, ZAMARRIPA, JOHNSON, BERCEAU, OHNSTAD, SMITH, CLARK, BERNARD SCHABER and PASCH.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 4: after “services” insert “, voluntary and informed consent to
3 an abortion when the pregnancy is the result of sexual assault or incest,”.

4 **2.** Page 2, line 1: before that line insert:

5 “**SECTION 1g.** 20.927 (2) (a) of the statutes is amended to read:

6 20.927 (2) (a) This section does not apply to the performance by a physician of
7 an abortion which is directly and medically necessary to save the life of the woman
8 or in a case of sexual assault or incest, provided that prior thereto the physician signs
9 a certification which so states, ~~and provided that, in the case of sexual assault or~~
10 ~~incest the crime has been reported to the law enforcement authorities.~~ The
11 certification shall be affixed to the claim form or invoice when submitted to any
12 agency or fiscal intermediary of the state for payment, and shall specify and attest

1 to the direct medical necessity of such abortion upon the best clinical judgment of the
2 physician or attest to his or her belief that sexual assault or incest has occurred.”.

3 **3.** Page 2, line 1: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

4 **4.** Page 3, line 13: after that line insert:

5 “**SECTION 6j.** 253.10 (3m) (a) (intro.) and 1. of the statutes are consolidated,
6 renumbered 253.10 (3m) (a) and amended to read:

7 253.10 (**3m**) (a) A woman seeking an abortion may waive the 24-hour period
8 required under sub. (3) (c) 1. (intro.) and L. and 2. (intro.) if all of the following are
9 first done: ~~1. The the woman alleges that the pregnancy is the result of sexual~~
10 ~~assault under s. 940.225 (1), (2) or (3) and states that a report alleging the sexual~~
11 ~~assault has been made to law enforcement authorities.~~

12 **SECTION 6k.** 253.10 (3m) (a) 2. of the statutes is repealed.

13 **SECTION 6m.** 253.10 (3m) (b) (intro.) and 1. of the statutes are consolidated,
14 renumbered 253.10 (3m) (b) and amended to read:

15 253.10 (**3m**) (b) The 24-hour period required under sub. (3) (c) 1. (intro.) and
16 L. and 2. (intro.) is reduced to at least 2 hours if all of the following are first done:
17 ~~1. The the woman alleges that the pregnancy is the result of incest under s. 948.06~~
18 ~~(1) or (1m) and states that a report alleging the incest has been made to law~~
19 ~~enforcement authorities.~~

20 **SECTION 6n.** 253.10 (3m) (b) 2. and (c) of the statutes are repealed.

21 **SECTION 6p.** 253.10 (5) of the statutes is amended to read:

22 253.10 (**5**) PENALTY. Any person who violates sub. (3) ~~or (3m) (a) 2. or (b) 2.~~ shall
23 be required to forfeit not less than \$1,000 nor more than \$10,000. No penalty may

1 be assessed against the woman upon whom the abortion is performed or induced or
2 attempted to be performed or induced.

3 **SECTION 6r.** 253.10 (6) (a) of the statutes is amended to read:

4 253.10 **(6)** (a) A person who violates sub. (3) ~~or (3m) (a) 2. or (b) 2.~~ is liable to
5 the woman on or for whom the abortion was performed or induced for damages
6 arising out of the performance or inducement of the abortion, including damages for
7 personal injury and emotional and psychological distress.”.

8 (END)