

Bill No.: SF0109 **Effective:** 7/1/2023

LSO No.: 23LSO-0428

Enrolled Act No.: SEA No. 0093

Chapter No.: 190

Prime Sponsor: Salazar

Catch Title: Prohibiting chemical abortions.

Subject: Prohibits prescribing, dispensing, distributing, selling or using any drug to perform a chemical abortion and provides a penalty.

Summary/Major Elements:

- This act makes it unlawful for any person to prescribe, dispense, distribute, sell or use any drug to procure or perform an abortion.
- This act provides specific exemptions to the prohibition on a chemical abortion, including:
 - The sale, use or administration of contraceptives.
 - Treatment of a natural miscarriage.
 - Treatment necessary to save a woman from imminent peril that substantially endangers the woman's life or health. For purposes of this exemption, "imminent peril" is defined.
 - When the pregnancy is the result of rape or incest.
- Any physician or other person who violates this act is guilty of a misdemeanor punishable by six (6) months imprisonment, a fine of not more than nine thousand dollars (\$9,000.00) or both. A woman upon whom a chemical abortion is performed cannot be criminally prosecuted under this act.

Comments:

- This act contains provisions that are substantially similar to 2023 Wyoming Session Law, Chapter 184, Life is a Human Right Act. This act and the Life is a Human Right Act both prohibit the use of drugs to procure or perform an abortion and both provide exceptions to the general prohibition. There are two notable differences between these acts:
 - First, this act provides for a misdemeanor penalty for any person who performs or provides drugs to a pregnant woman to procure an abortion while the Life is a Human Right Act provides a felony penalty for the same conduct.
 - This act is effective July 1, 2023 and the Life is a Human Right Act is effective immediately.

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