

CO-SPONSORSHIP MEMORANDUM

**From: Senator André Jacque
Senator David Craig
Senator Kathy Bernier**

**Representative Janel Brandtjen
Representative Rick Gundrum
Representative Tim Ramthun
Representative Chuck Wichgers
Representative Scott Allen
Representative Jeremy Thiesfeldt
Representative Shae Sortwell**

Date: September 4th, 2019

RE: Co-Sponsorship of the Human Dignity Act, LRB 3824/1

Deadline: Wednesday, September 18th at 5:00 pm

As a result of undercover videos showing executive officials for Planned Parenthood discussing and haggling over the price of aborted children's organs, there has been a significant increase in awareness regarding the sale, trafficking and exploitation of aborted babies' body parts. Respect for human dignity is essential in the authorization and carrying out of scientific research, a point underscored by horrific past failures to establish or follow such protocols. Aborted children clearly do not consent to their own destruction. It is deeply disturbing that UW officials who sought to open a late-term abortion clinic at the UW Surgery Center publicly cited the potential for induced abortions at the facility to serve as a supply of fetal body parts for UW experimentation, and the UW has received aborted children's tissue directly from Planned Parenthood of Wisconsin, at least as recently as 2011. The UW was also exposed as using one of the aborted tissue procurement companies whose scandalous practices were identified in the Planned Parenthood exposés. ***It should be noted that the US Department of Health and Human Services' National Institutes of Health (NIH) banned the use of aborted fetal tissue in research by its scientists earlier this year.***

We will be re-introducing the Human Dignity Act to set a high ethical standard for research by instituting a ban on the sale, transfer and experimentation upon aborted children, as several states have already enacted. The Human Dignity Act also requires the respectful disposition of aborted children's remains and recognition of their humanity by the recording of known gender and disability, which also adds to Wisconsin's existing birth defect registry in a way already in effect in other states.

This legislation does not criminalize fetal tissue research or ban donation, as it only applies to tissue from an induced abortion and does not apply to existing cell lines. Several distinguished researchers, including from the Medical College of Wisconsin, have testified that this legislation will do nothing to stifle legitimate research. This legislation does not diminish the ability to

conduct research with embryonic stem cells (derived from in vitro fertilization) or adult stem cells (derived from placental cord blood or adult tissues), nor the donation of tissues from those babies who die in the womb (miscarried or stillborn) from any cause other than through an induced abortion attempt.

In addition, this bill requires the determination and recording of the gender of a child who has been aborted if doing so is medically possible, and any known or diagnosed disabilities. This information is then added to existing Wisconsin abortion and birth defect reporting by the Department of Health Services in addition to other information that a hospital, clinic, or other facility is required to report on each induced abortion under current law. Documenting any disabilities (such as Down Syndrome) and the gender of aborted children will offer an even fuller understanding of how many little girls and boys are destroyed by abortion in Wisconsin, and the pervasiveness of discrimination due to disability.

This bill also requires that an abortionist is responsible for meeting certain standards for the respectful disposition of an aborted child's remains, through either burial, interment, entombment, or cremation/incineration, as the present lack of standards allows for disposal as trash or medical waste.

If you are interested in co-sponsoring LRB 3824/1, please reply to this email or contact Sen. Jacqué's office at 6-3512 or Rep. Brandtjen's office at 7-2367 by Wednesday, September 18th at 5 p.m.

Analysis by the Legislative Reference Bureau

Generally, this bill prohibits certain sales and uses of fetal body parts derived from an unborn child aborted by an induced abortion and requires arrangement for final disposition of the fetal body parts by a physician who performs the induced abortion. The bill also requires reporting of certain information after an induced abortion.

Current law prohibits a person from knowingly and for valuable consideration acquiring, receiving, or otherwise transferring a human organ. Current federal law prohibits a person from knowingly acquiring, receiving, or otherwise transferring, in interstate commerce, any fetal tissue for valuable consideration. This bill prohibits a person from knowingly acquiring, providing, receiving, or using a fetal body part in this state, regardless of whether the acquisition, provision, receipt, or use is for valuable consideration. A fetal body part, as defined in the bill, is a cell, tissue, organ, or other part of an unborn child that is obtained after and as a result of an induced abortion of the unborn child occurring after the effective date of the bill. The bill's prohibition does not apply to use of a fetal body part for diagnostic or remedial tests, procedures, or observations which have the sole purpose of determining the life or health of the unborn child in order to provide that information to the mother or preserving the life or health of the child, unborn child, or the child's mother.

The bill requires a physician who performs an induced abortion to arrange for final disposition by burial, interment, entombment, cremation, or incineration of the fetal body parts. A person who is acting exclusively in furtherance of final disposition of a fetal body part is not guilty of violating the prohibitions in the bill.

This bill requires a hospital, clinic, or other facility in which an induced abortion is performed to report additional information in its required annual report to the Department of Health Services. Under current law, the report must include, among other pieces of information, for each patient, the state, and county if Wisconsin, of residence; certain demographic information; the month and year in which the abortion was performed; the number of weeks since the patient's last menstrual period; whether the abortion was chemically or surgically induced or surgically induced following a failed chemical abortion; any resulting complications; and certain information for abortions of an unborn child capable of experiencing pain. This bill adds to the information required in the report the sex of the aborted unborn child if the sex can be determined by visual inspection, whether the aborted unborn child had a fetal anomaly, and the nature of the fetal anomaly if the aborted unborn child had one. Under the bill, DHS must incorporate information reported regarding an aborted unborn child's fetal anomaly in the existing birth defect registry.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.