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LWVWI Opposition to AB546 and SB553

The League of Women Voters has held the position of an individual's right to privacy in making reproductive health decisions—inclusive of abortion—since 1983, therefore we oppose AB546/SB553.

This bill amends the definition of abortion to existing state statutes: 48.375, 69.01, 253.10 and renumber and creates 20.927 (1g), 939.75 (2) and 940.15 (1). The proposed definition of abortion excludes medical procedures designed to prevent the death of a pregnant woman. The bill excludes procedures for specific medical conditions: ectopic, molar and anembryonic pregnancy and care post death of fetus/embryo from being labeled as an abortion. In addition, it provides a gray area: physicians make reasonable medical effort and judgement to preserve the lives of both mother and “unborn child” for their gestational age (new reference to personhood before viability), and if determined a mother's life is at risk the procedure done to end the pregnancy is no longer considered an abortion. While this might seem reasonable, there are a number of issues:

1. The bill removes the individual, in consultation with their physician, as the decisionmaker in their care. Since no bill can identify every necessary medical diagnosis and treatment scenario for pregnancy complications, there likely will be scenarios/circumstances not covered.
2. The medical terminology for the procedures used to treat the listed conditions is abortion; this law will not change the medical record diagnostic codes used to treat these conditions.
3. In Wisconsin abortion is legal, so there is no need to change its definition, unless the long-term plan is for these definitions to be in place when legislation is introduced to further limit abortion access.

4. The language in this bill is very similar to language used in the Texas law put in place to address life-threatening pregnancy complications after Texas's 6-week abortion ban. The Texas bill has resulted in unequal care and outcomes to pregnant women due to hospital systems' attorneys having wide variation in their interpretation of the law's "reasonable medical effort" to save both mother and "unborn child" when the mother's life is at risk. Due to the vagueness of terms used in this bill, it is likely the same variation of care would happen in Wisconsin if further limits to abortion access occurred.
5. This bill's use of "unborn child" is an attempt at assigning personhood to a fetus.
6. Poll data from June 2025 from a representative sample of the Wisconsin population shows 79% of Wisconsinites support an individual's right to choice and 91% want people to have access to legal and safe abortions. Legislators who support increasing restrictions and/or continuation of our current restrictive abortion laws don't represent the will of the Wisconsin people.