



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-4205/2
SWB&ZDW:cdc

2025 ASSEMBLY BILL

1 **AN ACT** *to renumber* 253.105 (3); *to amend* 253.105 (1) (b), 253.105 (2) (intro.)
2 and 292.01 (5); *to create* 253.105 (1) (bg), 253.105 (1) (br), 253.105 (2) (c) and
3 (d), 253.105 (2r), 253.105 (3) (b) and 281.17 (11) of the statutes; **relating to:**
4 prescription, use, and disposal of abortion-inducing drugs and providing a
5 penalty.

Analysis by the Legislative Reference Bureau

This bill adds to current law requirements relating to the prescription, use, and disposal of abortion-inducing drugs. Under current law, no person may give an abortion-inducing drug to a woman unless the physician who prescribed, or otherwise provided, the abortion-inducing drug for the woman both performs a physical exam of the woman before certain required information is provided and is physically present in the room when the abortion-inducing drug is given to the woman. A person who violates these requirements is guilty of a Class I felony, but no penalty may be assessed against the woman to whom an abortion-inducing drug is given. The bill adds to the requirements that must be met before a person may give, or attempt to give, an abortion-inducing drug to a woman. The physician who prescribes, or otherwise provides, the abortion-inducing drug must, in addition to current law requirements, 1) ensure that a follow-up visit for the patient is scheduled with the physician's office to occur not more than seven days after the use

ASSEMBLY BILL**SECTION 1**

or administration of the abortion-inducing drug to assess the patient's physical condition; and 2) provide a catch kit and medical waste bag, including instructions for the patient to use the catch kit and medical waste bag and to return the catch kit and medical waste bag to the physician's office for proper disposal. Under the bill, the penalty for violation under current law would also apply to violations of the new requirements.

The bill also provides that the manufacturer of any abortion-inducing drug is responsible for proper disposal of the abortion-inducing drugs and mitigation of any release of an endocrine disruptor caused by the improper disposal of abortion-inducing drugs, including from the disposal of pathological waste. Under the bill, an endocrine disruptor is a chemical that interferes with the hormones of a human body. Under the bill, if an endocrine disruptor resulting from the improper disposal of an abortion-inducing drug is detected in wastewater, the manufacturer of the abortion-inducing drug is subject to provisions known collectively as the "spills law." In general, the spills law provides that a person that possesses or controls a hazardous substance or that causes the discharge of a hazardous substance must notify the Department of Natural Resources immediately, restore the environment to the extent practicable, and minimize the harmful effects from the discharge. If action is not being adequately taken, DNR may take emergency action to contain or remove the hazardous substance. The bill provides that a violation of these requirements is subject to a forfeiture of not more than \$20,000 per violation.

Under current law, DNR regulates water quality and the operation of water systems and wastewater treatment plants. The bill requires DNR to require operators of wastewater treatment plants to regularly test for the presence of endocrine disruptors and authorizes DNR to assist the operators to develop that capacity.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 253.105 (1) (b) of the statutes is amended to read:

2 253.105 (1) (b) "Abortion-inducing drug" ~~has the meaning given in s. 253.10~~

3 ~~(2) (am)~~ means a drug, medicine, oral hormonal compound, mixture, or preparation,

4 when it is prescribed to terminate the pregnancy of a woman known to be pregnant

5 with an intention other than to produce a live birth or remove a dead fetus.

6 **SECTION 2.** 253.105 (1) (bg) of the statutes is created to read:

ASSEMBLY BILL**SECTION 2**

1 253.105 (1) (bg) “Catch kit” means a collection container designed to catch
2 and hold medical waste or infectious waste, often used for collecting samples for
3 testing.

4 **SECTION 3.** 253.105 (1) (br) of the statutes is created to read:

5 253.105 (1) (br) “Medical waste bag” means a biohazardous waste container
6 made to contain medical or biohazardous waste that is fluorescent orange or
7 orange-red with a label in a contrasting color affixed to its exterior stating
8 “BIOHAZARD.”

9 **SECTION 4.** 253.105 (2) (intro.) of the statutes is amended to read:

10 253.105 (2) (intro.) No person may give or attempt to give an abortion-
11 inducing drug to a woman unless the physician who prescribed, or otherwise
12 provided, the abortion-inducing drug for the woman:

13 **SECTION 5.** 253.105 (2) (c) and (d) of the statutes are created to read:

14 253.105 (2) (c) Ensures that a follow-up visit for the patient is scheduled with
15 the physician’s office to occur not more than 7 days after the use or administration
16 of the abortion-inducing drug to assess the patient’s physical condition.

17 (d) Provides a catch kit and medical waste bag, including instructions for the
18 patient to use the catch kit and medical waste bag and to return the catch kit and
19 medical waste bag to the physician’s office for proper disposal.

20 **SECTION 6.** 253.105 (2r) of the statutes is created to read:

21 253.105 (2r) MANUFACTURER RESPONSIBILITIES. (a) In this subsection:

22 1. “Endocrine disruptor” means a chemical that interferes with the hormones
23 of a human body.

ASSEMBLY BILL**SECTION 6**

1 2. “Pathological waste” means the remains of an abortion effectuated with the
2 use of an abortion-inducing drug.

3 (b) The manufacturer of any abortion-inducing drug shall be responsible for
4 proper disposal of the abortion-inducing drugs and mitigation of any release of an
5 endocrine disruptor caused by the improper disposal of abortion-inducing drugs,
6 including from the disposal of pathological waste. If an endocrine disruptor
7 resulting from the improper disposal of an abortion-inducing drug is detected in
8 wastewater, the manufacturer of the abortion-inducing drug shall be subject to the
9 requirements of ch. 292 as they pertain to the discharge of the endocrine disruptor.

10 **SECTION 7.** 253.105 (3) of the statutes is renumbered 253.105 (3) (a).

11 **SECTION 8.** 253.105 (3) (b) of the statutes is created to read:

12 253.105 (3) (b) A violation of sub. (2r) is punishable by a forfeiture of not more
13 than \$20,000 per violation.

14 **SECTION 9.** 281.17 (11) of the statutes is created to read:

15 281.17 (11) The department shall require operators of wastewater treatment
16 plants, as defined in sub. (3), to regularly test for the presence of endocrine
17 disruptors, as defined in s. 253.105 (2r) (a) 1., and may assist the operators to
18 develop that capacity.

19 **SECTION 10.** 292.01 (5) of the statutes is amended to read:

20 292.01 (5) “Hazardous substance” means any substance or combination of
21 substances including any waste of a solid, semisolid, liquid or gaseous form which
22 may cause or significantly contribute to an increase in mortality or an increase in
23 serious irreversible or incapacitating reversible illness or which may pose a
24 substantial present or potential hazard to human health or the environment

ASSEMBLY BILL**SECTION 10**

1 because of its quantity, concentration or physical, chemical or infectious
2 characteristics. This term includes, but is not limited to, substances which are
3 toxic, corrosive, flammable, irritants, strong sensitizers or explosives as determined
4 by the department. This term includes an endocrine disruptor, as defined in s.
5 253.105 (2r) (a) 1.

6 **SECTION 11. Initial applicability.**

7 (1) This act first applies to the prescription or other provision of an abortion-
8 inducing drug to a woman on the effective date of this subsection.

9 **SECTION 12. Effective date.**

10 (1) This act takes effect on May 1, 2026.

11 (END)