City of Racine

Legislative Report

City Hall
730 Washington Ave.
Racine, WI 53403
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File Number: Res. 0XXX-22

Agenda Date: 08/16/2022 **File Type:** Resolution

A Resolution Providing for an Advisory Referendum on the November 8, 2022, Election Ballot to Measure Public Opinion on Repealing Wisconsin Statutes Section 940.04, Which Bans Abortion at Any Stage of Pregnancy Without Exception for Rape, Incest, or Health of the Patient.

WHEREAS, on June 24, 2022, the United States Supreme Court made the devastating decision to overturn *Roe v. Wade*, eliminating the people's constitutional right to access safe and legal abortion. Given this reversal of a precedent existing for fifty years, individual states now dictate access to abortion care. Wisconsin Statutes section 940.04, which was enacted in 1849, bans abortion at any stage of pregnancy without exception for rape, incest, or health of the patient; and

WHEREAS, polling consistently showed that the majority of people in Wisconsin and across the United States opposed the overturn of *Roe v. Wade*; and

WHEREAS, the overturning of *Roe v. Wade* disproportionately affects communities of color, low-income communities, people who are disabled, immigrants, young people, and members of the LGBTQ+ community.

WHEREAS, the overturning of *Roe v. Wade* represented an attack on reproductive care and set a dangerous precedent for other questions of bodily autonomy; and

WHEREAS, the Common Council of the City of Racine supports the repeal of Wisconsin Statutes section 940.04, which bans abortion at any stage of pregnancy without exception for rape, incest, or health of the patient, to allow legal access to abortion care.

NOW THEREFORE, be it Resolved by the City Council members of Racine, Wisconsin, as follows:

The City Clerk is hereby directed to call an advisory referendum election to be held in the City at the regularly scheduled election to be held November 8, 2022, for the purpose of submitting to the qualified electors of the City the proposition of whether the State of Wisconsin should the repeal of Wisconsin Statutes section 940.04.

The ballot to be used at the referendum election shall be prepared in accordance with the provisions of Wisconsin Statutes sections 5.64 (2) and 7.08 (1)(a). The ballot shall be substantially as follows:

ADVISORY REFERENDUM

Should Wisconsin Statutes section 940.04, which bans abortion at any stage of pregnancy without exception for rape, incest, or health of the patient, be repealed to ensure legal access to abortion care?

Yes
No

Fiscal Note: N/A.