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5 **A RESOLUTION**  
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7 In support of access to abortion care and providing for an advisory referendum on the  
8 November 8, 2022, election ballot to measure public opinion on whether Wis. Stat. §  
9 940.04, which bans abortion at any stage of pregnancy without exception for rape,  
10 incest, or health of the patient, should be repealed to allow legal access to abortion care  
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13 WHEREAS, the 1973 U.S. Supreme Court ruling in *Roe v. Wade* made access to  
14 safe and legal abortion a constitutional right in the United States; and

15 WHEREAS, in a nearly unprecedented taking of a settled right in the United  
16 States, the U.S. Supreme Court issued a ruling on June 24, 2022, in *Dobbs v. Jackson*  
17 *Women’s Health Organization* which overturned *Roe v. Wade* allowing states to ban  
18 abortion; and

19 WHEREAS, a Marquette University poll taken in June of 2022 indicated that 59  
20 percent of Wisconsin residents support access to abortion care in all or almost all  
21 cases; and

22 WHEREAS, Wisconsin has a 173-year-old criminal abortion law still in its  
23 statutes which effectively bans all abortions in the state by making it a felony to perform  
24 an abortion with no exceptions for rape, incest, or the health of the pregnant person;  
25 and

26 WHEREAS, persons seeking abortion care will need to travel from Wisconsin to  
27 a state that does not restrict women from making their own healthcare choices and  
28 allows access to safe and legal abortions; and

29 WHEREAS, denying residents access to abortion care has a disproportionate  
30 impact on Black, Indigenous, and People of Color (BIPOC), low-income communities,  
31 people with disabilities, and members of the LGBTQ+ community who are likely to have  
32 barriers to transportation and related expenses; and

33 WHEREAS, Milwaukee County adopted Chapter 108 of the Code of General  
34 Ordinances – Achieving Racial Equity and Health in April 2019 to demonstrate its  
35 unwavering commitment to reducing racial and health inequities; and

36 WHEREAS, Milwaukee County residents should have the opportunity to voice  
37 their opinion on whether Wis. Stat. § 940.04, which bans abortion at any stage of  
38 pregnancy without exception for rape, incest, or health of the patient, should be  
39 repealed to allow legal access to abortion care; and  
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41 WHEREAS, the Committee on Judiciary, Law Enforcement, and General  
42 Services, at its meeting of July 15, 2022, recommended adoption of File No. 22-884  
43 (vote 3-2); and

44  
45 WHEREAS, the Committee on Finance, at its meeting of July 21, 2022,  
46 recommended adoption of File No. 22-884 (vote 4-3); now, therefore,

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48 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby affirms  
49 its support to protect abortion care as the right to choose and the residents of  
50 Milwaukee County and the State of Wisconsin should have access to this healthcare  
51 service in their own community; and

52  
53 BE IT FURTHER RESOLVED, by the County Board of Supervisors of Milwaukee  
54 County, Wisconsin, as follows:

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56 Section 1. Referendum Election. The County Clerk is hereby directed to call an  
57 advisory referendum election to be held in the County at the regularly scheduled  
58 election to be held November 8, 2022, for the purpose of submitting to the qualified  
59 electors of the county the proposition of whether the State of Wisconsin should repeal  
60 Wisconsin Statute § 940.04, which bans abortion at any stage of pregnancy without  
61 exception for rape, incest, or health of the patient, to allow legal access to abortion care.  
62 The referendum shall be held, noticed, and conducted following the procedures set forth  
63 in Section 59.52 (25) of the Wisconsin Statutes.

64 Section 2. Official Referendum Ballot Form. The ballot to be used at the  
65 referendum election shall be prepared in accordance with the provisions of Sections  
66 5.64 (2) and 7.08 (1)(a) of the Wisconsin Statutes. The ballot shall be substantially in  
67 the form attached hereto as Exhibit A.

68 ; and

69 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors  
70 hereby authorizes the Office of Strategy, Budget and Performance and the Office of the  
71 Comptroller to process an appropriation transfer of \$18,000 from Org. Unit 1800-1945 –  
72 Appropriation for Contingencies to appropriate accounts in Org. Unit 3270 – County  
73 Clerk Election Commission Division to offset the cost of the referendum in 2022.

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76 07/21/2022

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**EXHIBIT A**

OFFICIAL REFERENDUM BALLOT

**November 8, 2022**

**ADVISORY REFERENDUM**

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

Yes

No