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1971 SENATE BILL 670

LRB-3881/2  
MV:pp

Chief Clerk's Correction

July 16, 1971 - Introduced by Senator SOIK, by request of Attorney E. H. Snyder, 5907 No. Santa Monica Blvd., Whitefish Bay. Referred to Committee on Health and Social Services.

1 AN ACT to create 146.40 of the statutes, relating to the right to  
2 die with dignity.

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4 Analysis by the Legislative Reference Bureau

5 This bill permits any person to execute a document requiring  
6 that his life not be prolonged by extraordinary medical procedures.  
7 If the person is a minor or an incapacitated adult, the document may  
8 be executed by a parent, spouse, children or, if none, his nearest  
9 living relative.

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

13 146.40 of the statutes is created to read:

14 146.40 RIGHT TO DIE WITH DIGNITY. (1) Every person shall have

15 the right to die with dignity and to refuse and deny the use or  
16 application by any person of artificial, extraordinary, extreme or  
17 radical medical or surgical means or procedures calculated to  
18 prolong his life.

19 (2) Any person, with the same formalities as are required  
20 under ch. <sup>853</sup>238 for the execution of a will, may execute a document  
21 exercising such right and refusing and denying the use or applica-  
22 tion by any person of artificial, extraordinary, extreme or radical

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1 medical or surgical means or procedures calculated to prolong his  
2 life.

3 (3) If any person is a minor or an adult who is physically or  
4 mentally unable to execute or is otherwise incapacitated from  
5 executing such document, it may be executed in the same form on his  
6 behalf:

7 (a) By either parent of the minor;

8 (b) By his spouse;

9 (c) If his spouse is unwilling or unable to act, by his child  
10 aged 18 or over;

11 (d) If he has more than one child aged 18 or over, by a  
12 majority of such children;

13 (e) If he has no spouse or child aged 18 or over, by either of  
14 his parents; or

15 (f) If he has no parent living, by his nearest living rela-  
16 tive.

17 (4) Every document executed under this section shall be filed  
18 with the register of deeds in the county of residence of the person  
19 to be affected.

20 (5) Any person, hospital or other medical institution which  
21 acts or refrains from acting in reliance on and in compliance with  
22 such document shall be immune from liability otherwise arising out  
23 of such failure to use or apply artificial, extraordinary, extreme  
24 or radical medical or surgical means or procedures calculated to  
25 prolong such person's life.  
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