

HOUSE BILL No. 4676

April 26, 2005, Introduced by Reps. Moolenaar, Pastor, Robertson, Hummel, Steil, Stakoe, LaJoy, Taub, Stahl, Casperson, Walker, Moore, Sheltroun, Wenke, Shaffer, Palsrok, Gosselin, Hansen, Gaffney, Van Regenmorter, Mayes, Emmons, Hoogendyk, Caswell, Nitz, Farhat, Green, David Law, Caul, Vander Veen, Drolet, Pavlov, Nofs, Booher, Garfield, Baxter, Newell, Mortimer, Hune, Schuitmaker, Meyer, Pearce, Brandenburg, Acciavatti, Espinoza, Spade, Brown, Dillon, Gleason, McDowell, Proos and Clemente and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2690 (MCL 333.2690).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2690. (1) A person shall not knowingly sell, **COLLECT ANY**
2 **FEE**, transfer, distribute, or give away an embryo, fetus, or
3 neonate for a use which is in violation of sections 2685 to 2689.

4 (2) **A PERSON SHALL NOT FINANCIALLY BENEFIT FROM OR RECEIVE ANY**
5 **TYPE OF COMPENSATION FOR THE DISTRIBUTION OR TRANSFER OF ANY**
6 **PORTION OF AN EMBRYO, FETUS, OR NEONATE INCLUDING ANY ORGANS,**
7 **TISSUES, OR CELLS THAT WERE OBTAINED AS THE RESULT OF AN ELECTIVE**
8 **ABORTION. AS USED IN THIS SUBSECTION, "ELECTIVE ABORTION" MEANS THE**
9 **INTENTIONAL USE OF AN INSTRUMENT, DRUG, OR OTHER SUBSTANCE OR**

1 DEVICE TO TERMINATE A WOMAN'S PREGNANCY FOR A PURPOSE OTHER THAN TO
2 INCREASE THE PROBABILITY OF A LIVE BIRTH, TO PRESERVE THE LIFE OR
3 HEALTH OF THE CHILD AFTER LIVE BIRTH, OR TO REMOVE A DEAD FETUS.

4 ELECTIVE ABORTION DOES NOT INCLUDE EITHER OF THE FOLLOWING:

5 (A) THE PRESCRIPTION OF OR USE OF A DRUG OR DEVICE INTENDED AS
6 A CONTRACEPTIVE.

7 (B) THE INTENTIONAL USE OF AN INSTRUMENT, DRUG, OR OTHER
8 SUBSTANCE OR DEVICE BY A PHYSICIAN TO TERMINATE A WOMAN'S PREGNANCY
9 IF THE WOMAN'S PHYSICAL CONDITION, IN THE PHYSICIAN'S REASONABLE
10 MEDICAL JUDGMENT, NECESSITATES THE TERMINATION OF THE WOMAN'S
11 PREGNANCY TO AVERT HER DEATH.