

# SENATE BILL NO. 108

March 01, 2023, Introduced by Senators WEBBER, ALBERT, DALEY, VICTORY, LAUWERS, OUTMAN, BELLINO, RUNESTAD, THEIS and LINDSEY and referred to the Committee on Government Operations.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 14a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 14a. (1) Subject to subsections (2) and (5), a person  
2 shall not knowingly perform or attempt to perform an abortion on a  
3 pregnant woman if the person has knowledge that the pregnant woman  
4 is seeking the abortion because of any of the following:

5           (a) A screening result indicating that the woman's unborn  
6 child may have Down syndrome.

1           (b) A prenatal diagnosis of Down syndrome in the pregnant  
2 woman's unborn child.

3           (2) If no other medical procedure is sufficient to save the  
4 life of the pregnant woman, subsection (1) does not apply to an  
5 abortion that is necessary to save the life of the pregnant woman  
6 because her life is endangered by a physical disorder, illness, or  
7 injury, including a life-endangering condition caused by or arising  
8 from the pregnancy itself.

9           (3) A person who violates this section is guilty of a felony  
10 punishable by imprisonment for not more than 4 years or a fine of  
11 not more than \$10,000.00, or both.

12           (4) A pregnant woman on whom an abortion is performed or  
13 attempted to be performed in violation of subsection (1) is not  
14 guilty of any of the following:

15           (a) Violating this section.

16           (b) Attempting to violate this section.

17           (c) Conspiring to commit a violation of this section.

18           (5) This section does not apply unless fetal viability has  
19 been reached.

20           (6) As used in this section, "Down syndrome" means the  
21 chromosome disorder associated with an extra chromosome 21, in  
22 whole or in part, or an effective trisomy for chromosome 21.

23           Enacting section 1. This amendatory act takes effect 90 days  
24 after the date it is enacted into law.