

SENATE BILL NO. 113

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

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 17773.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 17773. (1) A pharmacist or pharmacy technician may refuse**
2 **to perform or participate in an abortion, or refuse to allow an**
3 **abortion to be performed on the premises of the pharmacy. The**
4 **refusal described in this subsection is with immunity from any**
5 **civil or criminal liability or penalty.**

1 (2) A pharmacist or pharmacy technician who states an
2 objection to abortion on professional, ethical, moral, or religious
3 grounds is not required to dispense a drug or otherwise participate
4 in a procedure that will result in an abortion. The refusal by the
5 pharmacist or pharmacy technician to participate as described in
6 this subsection does not create liability for damages on account of
7 the refusal or for any disciplinary or discriminatory action by the
8 patient or pharmacy against the pharmacist or pharmacy technician.

9 (3) A pharmacist or pharmacy technician who informs a patient
10 that the pharmacist or pharmacy technician refuses to give advice
11 concerning, or participate in, an abortion is not liable to the
12 pharmacy or the patient for the refusal. A civil action or a
13 disciplinary or discriminatory action may not be maintained against
14 a pharmacist or pharmacy technician for refusing to give advice as
15 to, or participating in, an abortion based on the refusal described
16 in this subsection.