

HOUSE BILL No. 4335

February 28, 2007, Introduced by Rep. Moolenaar 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 FOR,** 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**
10 **DEVICE TO TERMINATE A WOMAN'S PREGNANCY FOR A PURPOSE OTHER THAN TO**

1 INCREASE THE PROBABILITY OF A LIVE BIRTH, TO PRESERVE THE LIFE OR
2 HEALTH OF THE CHILD AFTER LIVE BIRTH, OR TO REMOVE A DEAD FETUS.

3 ELECTIVE ABORTION DOES NOT INCLUDE EITHER OF THE FOLLOWING:

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

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