

# HOUSE BILL NO. 5182

October 31, 2019, Introduced by Reps. Warren, Pagan, Hood, Ellison, Brenda Carter, Manoogian, Stone, Sowerby, Sneller, Tyrone Carter, Anthony, Cynthia Johnson, Brixie, Lasinski, Hoadley, Kennedy, Cherry, Pohutsky, Hope, Kuppa, Bolden, Rabhi, Garza, Gay-Dagnogo, Wittenberg, Sabo and Greig and referred to the Committee on Government Operations.

A bill to amend 2002 PA 687, entitled  
"Born alive infant protection act,"  
by amending section 1 (MCL 333.1071).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. (1) This act shall be known and may be cited as the  
2 "born alive infant protection act".

3       (2) As used in this act:

4       (a) "Abortion" means ~~that term as defined in section 17015 of~~  
5 ~~the public health code, 1978 PA 368, MCL 333.17015.~~ **the intentional**  
6 **use of an instrument, drug, or other substance or device to**



1 terminate an individual'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 fetus that has  
4 died as a result of natural causes, accidental trauma, or a  
5 criminal assault on the pregnant individual. Abortion does not  
6 include the use or prescription of a drug or device that prevents  
7 pregnancy, including by preventing the implantation of an embryo.

8 (b) "Live birth" means the complete expulsion or extraction of  
9 a product of conception from its mother, regardless of the duration  
10 of the pregnancy, that after expulsion or extraction, whether or  
11 not the umbilical cord has been cut or the placenta is attached,  
12 shows any evidence of life, including, but not limited to, 1 or  
13 more of the following:

14 (i) Breathing.

15 (ii) A heartbeat.

16 (iii) Umbilical cord pulsation.

17 (iv) Definite movement of voluntary muscles.

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

20 Enacting section 2. This amendatory act does not take effect  
21 unless Senate Bill No. \_\_\_\_ or House Bill No. 5179 (request no.  
22 03569'19) of the 100th Legislature is enacted into law.

