

# HOUSE BILL No. 5086

December 1, 2015, Introduced by Reps. Bizon, Canfield, Hooker, Crawford, Theis, Chatfield, Sheppard, Glenn, Poleski, Lucido, LaFontaine, Barrett, Webber, Franz, Cox, Leutheuser, Johnson, Runestad, Rendon, Price, Kesto, Outman, Lyons, Yonker, Goike, Inman, Muxlow, Forlini, Somerville, Tedder, McBroom, Aaron Miller, Graves, Cole, McCready, Vaupel, Jenkins, Potvin, Heise and Glardon and referred to the Committee on Criminal Justice.

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~~**THAT** is in violation of sections 2685 to  
4 2689.

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

1 WOMAN'S PREGNANCY FOR A PURPOSE OTHER THAN TO INCREASE THE  
2 PROBABILITY OF A LIVE BIRTH, TO PRESERVE THE LIFE OR HEALTH OF THE  
3 CHILD AFTER LIVE BIRTH, OR TO REMOVE A DEAD FETUS. ELECTIVE  
4 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.

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