

## LEGAL BIRTH DEFINITION ACT

### Act 135 of 2004

333.1081-333.1085 Repealed. 2023, Act 286, Eff. Feb. 13, 2024.

**Constitutionality:** The U.S. 6th Circuit Court of Appeals, affirming the U.S. District Court's decision in *Northland Family Planning v Cox* (docket Nos. 05-2417 and 05-2418, published June 4, 2007), held that the Legal Birth Definition Act, an act initiated by citizen petition, is unconstitutional. The court held that "invalidation of the law is the only available course" since the act "imposed an undue burden on a woman's right to terminate her pregnancy by prohibiting the D and E procedure, because it failed to adequately protect the health of the woman, and because it was void for vagueness due to its confusing language."

**Compiler's Notes:** This new act was proposed by initiative petition pursuant to Const 1963, art 2, § 9. On June 9, 2004, the initiative petition was approved by an affirmative vote of the majority of the Senators elect and filed with the Secretary of State. On June 9, 2004, the initiative petition was approved by an affirmative vote of the majority of the Members elect of the House of Representatives and filed with the Secretary of State. The Legislature did not vote pursuant to Const 1963, art 4, § 27, to give immediate effect to this enactment.