

STATE CONSTITUTION (EXCERPT)
CONSTITUTION OF MICHIGAN OF 1963

§ 27 Human embryo and embryonic stem cell research.

Section 27.

(1) Nothing in this section shall alter Michigan's current prohibition on human cloning.

(2) To ensure that Michigan citizens have access to stem cell therapies and cures, and to ensure that physicians and researchers can conduct the most promising forms of medical research in this state, and that all such research is conducted safely and ethically, any research permitted under federal law on human embryos may be conducted in Michigan, subject to the requirements of federal law and only the following additional limitations and requirements:

(a) No stem cells may be taken from a human embryo more than fourteen days after cell division begins; provided, however, that time during which an embryo is frozen does not count against this fourteen day limit.

(b) The human embryos were created for the purpose of fertility treatment and, with voluntary and informed consent, documented in writing, the person seeking fertility treatment chose to donate the embryos for research; and

(i) the embryos were in excess of the clinical need of the person seeking the fertility treatment and would otherwise be discarded unless they are used for research; or

(ii) the embryos were not suitable for implantation and would otherwise be discarded unless they are used for research.

(c) No person may, for valuable consideration, purchase or sell human embryos for stem cell research or stem cell therapies and cures.

(d) All stem cell research and all stem cell therapies and cures must be conducted and provided in accordance with state and local laws of general applicability, including but not limited to laws concerning scientific and medical practices and patient safety and privacy, to the extent that any such laws do not:

(i) prevent, restrict, obstruct, or discourage any stem cell research or stem cell therapies and cures that are permitted by the provisions of this section; or

(ii) create disincentives for any person to engage in or otherwise associate with such research or therapies or cures.

(3) Any provision of this section held unconstitutional shall be severable from the remaining portions of this section.

History: Add. Initiated Law, approved Nov. 4, 2008, Eff. Dec. 19, 2008