

Act No. 244
Public Acts of 1992
Approved by the Governor
November 18, 1992
Filed with the Secretary of State
November 18, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Reps. Kosteva, Griffin, Baade, Bartnik, Owen, Rocca, Niederstadt, Harder, Ciaramitaro, Hickner, Olshove, Webb, Pitoniak, Bennett, Walberg, O'Connor, Sikkema, Bender, Mathieu, Randall, Gnodtke, Middaugh, Hillegonds, Wozniak, Palamara, Gagliardi, DeLange, Jacobetti, DeMars, Oxender, Strand, Weeks, Porreca, Trim, Muxlow, Shugars, Hoffman, Jaye, Brackenridge, Scott, London, Van Singel, DeBeaussaert, Alley, Middleton, Richard A. Young, Allen, Horton, Jamian, Bodem, Varga, Gernaat, Dalman, Robertson, Bandstra and McBryde

ENROLLED HOUSE BILL No. 6099

AN ACT to amend sections 2 and 5 of Act No. 211 of the Public Acts of 1990, entitled as amended "An initiation of Legislation to require parental consent for abortions performed on unemancipated minors and to provide a judicial alternative to parental consent; to provide for certain rights, powers, and duties of departments, individuals, and courts; and to prescribe penalties," being sections 722.902 and 722.905 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 2 and 5 of Act No. 211 of the Public Acts of 1990, being sections 722.902 and 722.905 of the Michigan Compiled Laws, are amended to read as follows:

Section 2. As used in this act:

(a) "Abortion" means the intentional use of an instrument, drug, or other substance or device to terminate a woman's pregnancy for a purpose other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus. Abortion does not include the use or prescription of a drug or device intended as a contraceptive.

(b) "Medical emergency" means that condition which, on the basis of a physician's good faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate an immediate abortion of that woman's pregnancy to avert her death, or for which a delay in performing an abortion will create serious risk of substantial and irreversible impairment of a major bodily function.

(c) "Minor" means a person under the age of 18 years who is not emancipated pursuant to section 4 of Act No. 293 of the Public Acts of 1968, being section 722.4 of the Michigan Compiled Laws.

(d) "Next friend" means a person who is not 1 of the following:

(i) A physician who performs abortions.

(ii) A person who is employed by, or receives financial consideration from, a physician who performs abortions or an organization that provides abortions or abortion counseling and referral services.

(iii) A person who serves as a board member or volunteer to an organization that provides abortions or abortion counseling and referral services.

Section 5. The requirements of Section 3 do not apply to an abortion performed pursuant to a medical emergency.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.