

HOUSE BILL No. 6099

September 17, 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, Strank, Weeks, Porreca, Trim, Muxlow, Shugars, Hoffman, Jaye, Brackenridge, Scott, London, VanSingel, DeBeaussaert, Alley, Middleton, Richard A. Young, Allen, Horton, Jamian, Bodem, Varga, Gernaat, Dalman, Robertson, Bandstra and McBryde and referred to the Committee on House Oversight.

A bill to amend sections 2 and 5 of Act No. 211 of the Public Acts of 1990, entitled as amended "The parental rights restoration act," being sections 722.902 and 722.905 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 Section 2. As used in this act:

5 (a) "Abortion" means the intentional use of an instrument,
6 drug, or other substance or device to terminate a woman's preg-
7 nancy for a purpose other than to increase the probability of a
8 live birth, to preserve the life or health of the child after
9 live birth, or to remove a dead fetus. Abortion does not include

1 the use or prescription of a drug or device intended as a
2 contraceptive.

3 (b) "~~Emergency~~ MEDICAL EMERGENCY" means ~~a situation in~~
4 ~~which continuation of the pregnancy of the minor would create an~~
5 ~~immediate threat and grave risk to the life of the minor, as cer-~~
6 ~~tified in writing by a physician~~ THAT CONDITION WHICH, ON THE
7 BASIS OF A PHYSICIAN'S GOOD FAITH CLINICAL JUDGMENT, SO COMPLI-
8 CATES THE MEDICAL CONDITION OF A PREGNANT WOMAN AS TO NECESSITATE
9 AN IMMEDIATE ABORTION OF THAT WOMAN'S PREGNANCY TO AVERT HER
10 DEATH, OR FOR WHICH A DELAY IN PERFORMING AN ABORTION WILL CREATE
11 SERIOUS RISK OF SUBSTANTIAL AND IRREVERSIBLE IMPAIRMENT OF A
12 MAJOR BODILY FUNCTION.

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

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

19 (i) ~~(i)~~ A physician who performs abortions.

20 (ii) ~~(ii)~~ A person who is employed by, or receives finan-
21 cial consideration from, a physician who performs abortions or an
22 organization that provides abortions or abortion counseling and
23 referral services.

24 (iii) ~~(iii)~~ A person who serves as a board member or vol-
25 unteer to an organization that provides abortions or abortion
26 counseling and referral services.

1 Section 5. The requirements of Section 3 do not apply to an
2 abortion performed pursuant to ~~an~~ A MEDICAL emergency.