

REPRINT

**SUBSTITUTE FOR  
SENATE BILL NO. 1170**

(As Passed the Senate May 30, 2000)

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
(MCL 600.101 to 600.9948) by adding section 2971.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 2971. (1) A PERSON SHALL NOT BRING A CIVIL ACTION ON A  
2 WRONGFUL BIRTH CLAIM THAT, BUT FOR AN ACT OR OMISSION OF THE  
3 DEFENDANT, A CHILD OR CHILDREN WOULD NOT OR SHOULD NOT HAVE BEEN  
4 BORN.

5        (2) A PERSON SHALL NOT BRING A CIVIL ACTION FOR DAMAGES ON A  
6 WRONGFUL LIFE CLAIM THAT, BUT FOR THE NEGLIGENT ACT OR OMISSION  
7 OF THE DEFENDANT, THE PERSON BRINGING THE ACTION WOULD NOT OR  
8 SHOULD NOT HAVE BEEN BORN.

9        (3) A PERSON SHALL NOT BRING A CIVIL ACTION FOR DAMAGES FOR  
10 DAILY LIVING, MEDICAL, EDUCATIONAL, OR OTHER EXPENSES NECESSARY  
11 TO RAISE A CHILD TO THE AGE OF MAJORITY, ON A WRONGFUL PREGNANCY

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1 OR WRONGFUL CONCEPTION CLAIM THAT, BUT FOR AN ACT OR OMISSION OF  
2 THE DEFENDANT, THE CHILD WOULD NOT OR SHOULD NOT HAVE BEEN  
3 CONCEIVED.

4 (4) THE PROHIBITION STATED IN SUBSECTION (1), (2), OR (3)  
5 APPLIES REGARDLESS OF WHETHER THE CHILD IS BORN HEALTHY OR WITH A  
6 BIRTH DEFECT OR OTHER ADVERSE MEDICAL CONDITION. THE PROHIBITION  
STATED IN SUBSECTION (1), (2), OR (3) DOES NOT APPLY TO A CIVIL  
ACTION FOR DAMAGES FOR AN INTENTIONAL OR GROSSLY NEGLIGENT ACT OR  
OMISSION, INCLUDING, BUT NOT LIMITED TO, AN ACT OR OMISSION THAT  
VIOLATES THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.1 TO  
750.568.

[Enacting section 1. This amendatory act applies only to a  
cause of action arising on or after the effective date of this  
amendatory act.]

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