



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

SURRENDER OF BORN ALIVE NEWBORN; EXEMPT FROM PROSECUTION

House Bill 5996

Sponsor: Rep. Wayne Kuipers

**Committee: Family and Children
Services**

Complete to 5-3-02

A SUMMARY OF HOUSE BILL 5996 AS INTRODUCED 5-2-02

Under the Michigan Penal Code (Public Act 328 of 1931), a father or mother of a child under six years of age, or any other individual, who exposes the child in any street, field, house, or other place, with the intent to injure or abandon the child, is guilty of a felony punishable by imprisonment for not exceeding 10 years.

The bill would add that this provision would not apply to a mother of a newborn who is born alive as the result of an attempted abortion and surrendered under the Born Alive Infant Protection Act (proposed in House Bill 5994). The provision of the penal code would apply, however, to an attending physician who delivers a live newborn as a result of an attempted abortion and fails to comply with the requirements of the Born Alive Infant Protection Act.

The bill is tie-barred to House Bill 5994, which would create the Born Alive Infant Protection Act.

MCL 750.135

House Bill 5996 (5-3-02)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.