

BORN ALIVE INFANT PROTECTION PACKAGE



Telephone: (517) 373-8080

Facsimile: (517) 373-5874

www.house.state.mi.us/hfa

FISCAL ANALYSIS

Mitchell Bean, Director

124 N. Capitol Avenue

4-N HOB Lansing, MI

HOUSE BILL 5994 AS INTRODUCED

Sponsor: Rep. Bruce Patterson

House Committee: Family and Children Services

COMMITTEE ANALYSIS - 5/6/02

Analyst(s): Susan Frey

Marilyn Peterson

Erin Black

HOUSE BILL 5995 AS INTRODUCED

Sponsor: Rep. Patricia Birkholz

House Committee: Family and Children Services

HOUSE BILL 5996 AS INTRODUCED

Sponsor: Rep. Wayne Kuipers

House Committee: Family and Children Services

HOUSE BILL 5997 AS INTRODUCED

Sponsor: Rep. Barb Vander Veen

House Committee: Family and Children Services

HOUSE BILL 5998 AS INTRODUCED

Sponsor: Rep. Douglas Bovin

House Committee: Family and Children Services

SUMMARY

HB 5994 would establish the Born Alive Infant Protection Act which would provide that an infant born alive during an abortion procedure receive medical care. The bill includes provisions to allow the mother to surrender the newborn anonymously under the Safe Delivery of Newborns Act of the Probate Code. Any such live birth must be reported to the Department of Community Health as a certified live birth. The bill may have undetermined state fiscal implications for medical treatment in some circumstances. Of 26,807 abortions in Michigan in 2000, "evidence of life" was reported in 18 cases.

HB 5995 would amend the Safe Delivery of Newborns Act of the Probate Code to provide that a newborn covered under the proposed Born Alive Infant Protection Act may be surrendered anonymously by the mother under the provisions of this Act. See House Bill 5994 for fiscal implications.

HB 5996 would amend a section of the Michigan Penal Code that makes abandonment of a child under six a ten-year felony. The bill would explicitly exempt from this provision the mother of a newborn surrendered under the Born Alive Infant Protection Act to be created by HB 5994. The bill also would explicitly apply the provision to an attending physician who delivered a live newborn as a result of an attempted abortion and failed to comply with the requirements of the Born Alive Infant Protection Act. The bill likely would have no significant impact on state or local correctional costs.

HB 5997 would amend the Child Protection Law by adding language specifying that the surrender of a newborn under the Safe Delivery of Newborns Law through the Born Alive Infant Protection Act is not reasonable cause to suspect and report child abuse or neglect. It appears HB 5997 would have no fiscal impact.

HB 5998 would amend the Public Health Code to require that the live birth of an infant during an abortion procedure be reported and certified as a live birth to the local or state registrar. The bill also defines "dead body". The bill has negligible fiscal impact.