

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2971 Wrongful birth or wrongful life claims; prohibitions; exceptions.

Sec. 2971. (1) A person shall not bring a civil action on a wrongful birth claim that, but for an act or omission of the defendant, a child or children would not or should not have been born.

(2) A person shall not bring a civil action for damages on a wrongful life claim that, but for the negligent act or omission of the defendant, the person bringing the action would not or should not have been born.

(3) A person shall not bring a civil action for damages for daily living, medical, educational, or other expenses necessary to raise a child to the age of majority, on a wrongful pregnancy or wrongful conception claim that, but for an act or omission of the defendant, the child would not or should not have been conceived.

(4) The prohibition stated in subsection (1), (2), or (3) applies regardless of whether the child is born healthy or with a 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.

History: Add. 2000, Act 423, Eff. Mar. 28, 2001.

Compiler's note: Enacting section 1 of Act 423 of 2000 provides:

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