

LEGAL BIRTH DEFINITION ACT (EXCERPT)
Act 135 of 2004

***** 333.1081 THIS SECTION IS REPEALED BY ACT 286 OF 2023 EFFECTIVE FEBRUARY 13, 2024

333.1081 Short title.

Sec. 1. This act shall be known and may be cited as the "legal birth definition act".

History: 2004, Act 135, Eff. Mar. 30, 2005.

Constitutionality: The U.S. 6th Circuit Court of Appeals, affirming the U.S. District Court's decision in *Northland Family Planning v Cox* (docket Nos. 05-2417 and 05-2418, published June 4, 2007), held that the Legal Birth Definition Act, an act initiated by citizen petition, is unconstitutional. The court held that "invalidation of the law is the only available course" since the act "imposed an undue burden on a woman's right to terminate her pregnancy by prohibiting the D and E procedure, because it failed to adequately protect the health of the woman, and because it was void for vagueness due to its confusing language."