



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

FAMILY PLANNING PROGRAM PRIORITIES

House Bill 5934

Sponsor: Rep. Mark Jansen

Committee: Family and Children Services

Complete to 8-28-00

A SUMMARY OF HOUSE BILL 5934 AS INTRODUCED 6-21-00

The bill would create a new act to specify that it would be the policy of the state for the Department of Community Health to give priority in the allocation of funds for family planning programs to agencies and organizations that do not perform abortions or advocate for abortion rights.

The policy would apply to the allocation of funds through grants or contracts for educational or other programs or services administered by the DCH and pertaining to family planning. It would apply to grants or contracts awarded to local agencies, organizations, or corporations, and to subdivisions, contractees, or grant recipients of such entities. Priority for funding would be given to an otherwise qualified applicant that does not:

- perform elective abortions or allow the performance of elective abortions within its facilities;
- refer pregnant women to abortion providers for elective abortions;
- engage in public advocacy promoting the legality or accessibility of elective abortion; or
- adopt or maintain a policy that elective abortion is considered part of a continuum of family planning or reproductive health services.

However, the bill states that its provisions would not apply if the only applicant or group of applicants for a grant or contract engaged in the listed activities.

The bill defines “elective abortion” to mean “the choice of a pregnant woman to undergo a procedure involving the intentional use of an instrument, drug, or other substance or device to terminate a woman’s pregnancy for a purpose other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus”. The term would not include the use or prescription of a drug or device intended as a contraceptive, nor the termination of a woman’s pregnancy “if the woman’s physical condition, in the physician’s reasonable medical judgment, necessitates the termination of the woman’s pregnancy to avert her death”.

“Public advocacy” would be defined to mean:

- regularly engaging in efforts to encourage the passage or defeat of legislation pertaining to continued or expanded availability of elective abortion;

- publicly endorsing or recommending the election or defeat of a candidate for public office based on the candidate's position on the legality of elective abortion, either directly or through an affiliated political action committee; or

- engaging in civil litigation against a unit of government as a plaintiff seeking to enjoin or otherwise prohibit enforcement of a statute, ordinance, rule, or regulation pertaining to elective abortion.

Analyst: D. Martens

■ 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.