



# HOUSE BILL No. 5934

June 21, 2000, Introduced by Rep. Jansen and referred to the Committee on Children and Family Services.

A bill to revise the priority of allocation of funds for certain programs and services administered by the department of community health; and to prescribe the powers and duties of certain state agencies and departments.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. (1) It is the policy of this state for the depart-  
2 ment of community health to give priority under this subsection  
3 in the allocation of funds through grants or contracts for educa-  
4 tional and other programs and services administered by the  
5 department and pertaining to family planning. This subsection  
6 applies to grants or contracts awarded to a local agency, organi-  
7 zation, or corporation, and to a subdivision, contractee, sub-  
8 contractee, or grant recipient of the local agency, organization,  
9 or corporation that is considered qualified by the department,

1 and that does not engage in 1 or more of the following  
2 activities:

3 (a) Performing elective abortions or allowing the per-  
4 formance of elective abortions within a facility owned or oper-  
5 ated by the agency, organization, or corporation or by its subdi-  
6 vision, contractee, subcontractee, or grant recipient.

7 (b) Referring a pregnant woman to an abortion provider for  
8 an elective abortion.

9 (c) Public advocacy promoting the legality or accessibility  
10 of elective abortion.

11 (d) Adopting or maintaining a policy that elective abortion  
12 is considered part of a continuum of family planning or reproduc-  
13 tive health services.

14 (2) Subsection (1) does not apply if the only applicant or  
15 group of applicants for a grant or contract described in subsec-  
16 tion (1) engages in 1 or more of the activities listed in subsec-  
17 tion (1)(a) to (d).

18 (3) As used in this act:

19 (a) "Elective abortion" means the choice of a pregnant woman  
20 to undergo a procedure involving the intentional use of an  
21 instrument, drug, or other substance or device to terminate a  
22 woman's pregnancy for a purpose other than to increase the proba-  
23 bility of a live birth, to preserve the life or health of the  
24 child after live birth, or to remove a dead fetus. Elective  
25 abortion does not include either of the following:

26 (i) The use or prescription of a drug or device intended as  
27 a contraceptive.

1           (ii) The intentional use of an instrument, drug, or other  
2 substance or device by a physician to terminate a woman's preg-  
3 nancy if the woman's physical condition, in the physician's rea-  
4 sonable medical judgment, necessitates the termination of the  
5 woman's pregnancy to avert her death.

6           (b) "Public advocacy" means 1 or more of the following:

7           (i) To regularly engage in efforts to encourage the passage  
8 or defeat of legislation pertaining to continued or expanded  
9 availability of elective abortion.

10          (ii) To publicly endorse or recommend the election or defeat  
11 of a candidate for public office based on the candidate's posi-  
12 tion on the legality of elective abortion, either directly or  
13 through an affiliated political action committee.

14          (iii) To engage in civil litigation against a unit of gov-  
15 ernment as a plaintiff seeking to enjoin or otherwise prohibit  
16 enforcement of a statute, ordinance, rule, or regulation pertain-  
17 ing to elective abortion.