

Act No. 206  
Public Acts of 2023  
Approved by the Governor  
November 21, 2023  
Filed with the Secretary of State  
November 22, 2023  
EFFECTIVE DATE: February 13, 2024

**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2023**

Introduced by Senators Geiss, McCann, Cavanagh, Polehanki, Chang, Shink, Bayer, Wojno,  
Hertel, Brinks, Klinefelt, Irwin and Anthony

**ENROLLED SENATE BILL No. 476**

AN ACT to amend 2002 PA 687, entitled “An act to assert the state’s interest in protecting all individuals; and to prescribe responsibilities and procedures in regard to a newborn whose live birth results from an abortion,” by amending section 1 (MCL 333.1071).

*The People of the State of Michigan enact:*

Sec. 1. (1) This act may be cited as the “born alive infant protection act”.

(2) As used in this act:

(a) “Abortion” means a medical treatment that is intended to terminate a diagnosable intrauterine pregnancy for a purpose other than to produce a live birth. Abortion does not include the use or prescription of a drug or device that prevents pregnancy or a medical treatment used to remove a dead fetus or embryo whose death was the result of a spontaneous abortion.

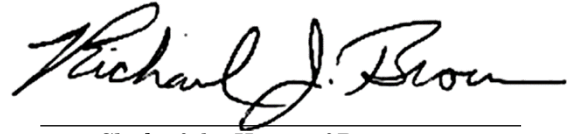
(b) “Live birth” means the complete expulsion or extraction of a product of conception from its mother, regardless of the duration of the pregnancy, that after expulsion or extraction, whether or not the umbilical cord has been cut or the placenta is attached, shows any evidence of life, including, but not limited to, 1 or more of the following:

- (i) Breathing.
- (ii) A heartbeat.
- (iii) Umbilical cord pulsation.
- (iv) Definite movement of voluntary muscles.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 474 of the 102nd Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor

**Compiler's note:** Senate Bill No. 474, referred to in enacting section 1, was filed with the Secretary of State November 22, 2023, and became 2023 PA 209, Eff. Feb. 13, 2024.