

HOUSE BILL NO. 5012

September 19, 2023, Introduced by Reps. Tisdel, Schuette, Smit, DeBoer, Borton, Neyer, Outman, Prestin, Mueller, Bierlein, Aragona, Roth and VanderWall and referred to the Committee on Government Operations.

A bill to regulate abortion after fetal viability and to define certain terms for purposes of section 28 of article I of the state constitution of 1963.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) An abortion shall not be performed on a pregnant
2 individual if the fetus the pregnant individual is carrying reaches
3 fetal viability unless, in the professional judgment of 1 of the
4 following, the abortion is medically indicated to protect the life
5 or physical or mental health of the pregnant individual:

6 (a) A board certified obstetrician-gynecologist.

7 (b) A board certified maternal fetal medicine specialist.

1 (c) A board certified psychiatrist.

2 (2) As used in this act and in section 28 of article I of the
3 state constitution of 1963:

4 (a) "Extraordinary medical measures" means interventions,
5 therapies, and professional services that are not commonly rendered
6 or recognized throughout this state's neonatal intensive care
7 inpatient facilities as supporting premature births.

8 (b) "Fetal viability" means the number of gestational weeks,
9 as defined by the American College of Obstetricians and
10 Gynecologists, when there is a significant likelihood of the
11 fetus's sustained survival outside of the uterus without the
12 application of extraordinary medical measures.