

Fiscal Analysis

REDEFINE POINT OF BIRTH AND COMMENCEMENT OF LEGAL RIGHTS



Bill/Sponsor **SENATE BILL 395 (S-1) as passed by the Senate, Sen. Michelle McManus**
HOUSE BILL 4603 Rep. David B. Robertson

House Committee Family and Children Services

Analysis **Summary**
Senate Bill 395 (S-1) creates a new act to define a perinate as a legally born person. A perinate is defined in the bill as a live human being during that part of the birth process beginning when any anatomical part of the human being passes beyond the mother’s vaginal opening and until the point of complete expulsion or removal of the human being from the mother’s body.

House Bill 4603 is identical to the original version of Senate Bill 395.

Fiscal Impact

There may be fiscal implications to the state from this bill by the establishment of an earlier point identified as the point of live birth than is generally established to date by law and by the courts.

Notes

The Public Health Code, MCL 333.2804, currently includes a definition of live birth that differs from Senate Bill 395.

The bill’s definition of “perinate” references a very limited time during the birth process compared to the generally understood reference of the word “perinatal” to a period beginning at the 20th to 28th week of gestation and ending 1–4 weeks after birth.

Analyst
Susan Frey

COMMITTEE ANALYSIS - 5/6/03

Mitchell Bean, Director – House Fiscal Agency
124 N. Capitol Avenue, Lansing, MI 48909
Phone: (517)373-8080, Fax: (517)373-5874
<http://www.house.mi.gov/hfa>