

HOUSE BILL No. 5882

March 16, 2006, Introduced by Reps. Emmons, Vander Veen, Taub, Mortimer and Amos and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 15a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 15A. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS**
2 **THE "COERCIVE ABORTION PREVENTION ACT".**

3 **(2) A PERSON SHALL NOT DO ANY OF THE FOLLOWING WITH THE INTENT**
4 **TO COMPEL A PREGNANT FEMALE TO SEEK AN ABORTION:**

5 **(A) COMMIT, ATTEMPT TO COMMIT, OR CONSPIRE TO COMMIT PHYSICAL**
6 **HARM TO THE PREGNANT FEMALE.**

7 **(B) ENGAGE IN A WILLFUL COURSE OF CONDUCT INVOLVING REPEATED**
8 **OR CONTINUING HARASSMENT OF THE PREGNANT FEMALE THAT WOULD CAUSE**
9 **HER TO REASONABLY FEEL TERRORIZED, FRIGHTENED, INTIMIDATED,**
10 **THREATENED, OR HARASSED.**

1 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CRIME AS
2 FOLLOWS:

3 (A) FOR A VIOLATION OF SUBSECTION (2)(A):

4 (i) IF THE ACT RESULTS IN THE DEATH OF THE PREGNANT FEMALE, THE
5 PERSON IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT
6 MORE THAN 15 YEARS OR A FINE OF NOT MORE THAN \$7,500.00, OR BOTH.

7 (ii) IF THE ACT RESULTS IN GREAT BODILY HARM TO THE PREGNANT
8 FEMALE, THE PERSON IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT
9 FOR NOT MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN \$2,500.00, OR
10 BOTH.

11 (iii) IF THE ACT RESULTS IN SERIOUS OR AGGRAVATED PHYSICAL
12 INJURY TO THE PREGNANT FEMALE, THE PERSON IS GUILTY OF A
13 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 6 MONTHS
14 OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

15 (iv) IF THE ACT RESULTS IN PHYSICAL INJURY TO THE PREGNANT
16 FEMALE, THE PERSON IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
17 IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN
18 \$500.00, OR BOTH.

19 (B) FOR A VIOLATION OF SUBSECTION (2)(B):

20 (i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (ii), THE PERSON IS
21 GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN
22 \$1,000.00.

23 (ii) IF THE PERSON WAS 18 YEARS OF AGE OR OLDER AND THE
24 PREGNANT FEMALE WAS LESS THAN 18 YEARS OF AGE, THE PERSON IS GUILTY
25 OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$2,000.00.

26 (4) THIS SECTION DOES NOT PROHIBIT THE PERSON FROM BEING
27 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY CRIME COMMITTED

1 WHILE VIOLATING THIS SECTION.

2 (5) THE COURT MAY ORDER THAT A TERM OF IMPRISONMENT IMPOSED
3 FOR VIOLATING THIS SECTION BE SERVED CONSECUTIVELY TO A TERM OF
4 IMPRISONMENT IMPOSED FOR ANY CRIME COMMITTED WHILE VIOLATING THIS
5 SECTION.

6 (6) AS USED IN THIS SECTION, "HARASSMENT" MEANS CONDUCT
7 DIRECTED TOWARD A PREGNANT FEMALE THAT WOULD CAUSE A REASONABLE
8 INDIVIDUAL TO SUFFER EMOTIONAL DISTRESS AND THAT ACTUALLY CAUSES
9 EMOTIONAL DISTRESS, INCLUDING, BUT NOT LIMITED TO, ANY OF THE
10 FOLLOWING:

11 (A) REPEATEDLY FILING, ATTEMPTING TO FILE, OR THREATENING TO
12 FILE FOR DIVORCE FROM A PREGNANT FEMALE.

13 (B) REPEATEDLY WITHDRAWING, ATTEMPTING TO WITHDRAW, OR
14 THREATENING TO WITHDRAW FINANCIAL SUPPORT FROM A PREGNANT FEMALE
15 THAT HAD PREVIOUSLY BEEN SUPPLIED OR OFFERED.

16 (C) REPEATEDLY CHANGING, ATTEMPTING TO CHANGE, OR THREATENING
17 TO CHANGE AN EXISTING HOUSING OR COHABITATION ARRANGEMENT WITH A
18 PREGNANT FEMALE.