

HOUSE BILL NO. 6530

November 29, 2022, Introduced by Rep. Pepper and referred to the Committee on Judiciary.

A bill to prohibit limited services pregnancy centers from publishing deceptive statements regarding certain services; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
- 2 (a) "Limited services pregnancy center" means a pregnancy
- 3 services center that does not directly provide, or provide
- 4 referrals for, abortions or emergency contraception.

(b) "Pregnancy-related service" means a medical or health counseling service related to pregnancy or pregnancy prevention, including, but not limited to, contraception and contraceptive counseling, pregnancy testing, pregnancy diagnosis, pregnancy options counseling, obstetric ultrasound, obstetric sonogram, and prenatal care.

(c) "Pregnancy services center" means a facility, including, but not limited to, a mobile facility, that has the primary purpose of providing services to an individual who is pregnant or an individual who has reason to believe the individual is pregnant and that meets either of the following:

(i) Offers obstetric ultrasounds or sonograms, pregnancy testing or diagnosis, or prenatal care to individuals who are pregnant.

(ii) Has any of the following factors:

(A) Staff or volunteers who wear medical attire or uniforms.

(B) One or more examination tables.

(C) A private or semiprivate room or area containing medical supplies or medical instruments.

(D) Staff or volunteers who collect health information from clients.

(E) A location on the same premises as a licensed health care facility or licensed health care provider or shares facility space with a licensed health care provider.

(d) "Publish" means make or disseminate to the public, or cause to make or disseminate to the public, in any manner, including, but not limited to, the use of the internet, newspaper or other publication, or an advertising device.

Sec. 3. A limited services pregnancy center shall not publish

1 a deceptive statement or deceptive omission regarding a pregnancy-
2 related service or the provision of a pregnancy-related service
3 that the limited services pregnancy center knows or reasonably
4 should know is deceptive.

5 Sec. 5. (1) Subject to subsection (2) and in addition to any
6 other action otherwise authorized by law, the attorney general may
7 bring an action to enjoin an act or practice prohibited by section
8 3.

9 (2) The attorney general may not institute a proceeding under
10 subsection (1) unless the attorney general notifies the limited
11 services pregnancy center of the attorney general's intention to
12 seek an injunction if the limited services pregnancy center does
13 not cease from continuing to act in a manner that violates section
14 3. The attorney general shall provide the notice required under
15 this subsection not less than 10 days before bringing an action
16 under subsection (1).

17 (3) Subject to subsection (4), if a court finds that a limited
18 services pregnancy center is violating section 3, the court may
19 enter an appropriate order or judgment, including, but not limited
20 to, 1 or more of the following:

21 (a) Enjoining the limited services pregnancy center from
22 continuing to violate section 3.

23 (b) Requiring the limited services pregnancy center to correct
24 a deceptive statement.

25 (c) Awarding the attorney general costs and attorney fees.

26 (4) A court may not issue an order or judgment under
27 subsection (3) if the limited services pregnancy center ceased
28 violating section 3 after receiving notice from the attorney
29 general under subsection (2).