



Timeline: Abortion laws in Michigan

1931: Michigan bans abortion except to save the life of the mother and makes it a felony to perform, PA 328 of 1931.

1969: The state Legislature fails to adopt a bill that would have repealed Michigan's abortion ban.

1972: Michigan voters by 1.96 million to 1.27 million (61%-39%) reject a citizen initiated legislative ballot proposal to allow abortion in the first three months of pregnancy.

Jan. 22, 1973: The U.S. Supreme Court affirms a constitutional right of privacy, allowing a woman's right to choose an abortion, *Roe v Wade*.

1978: MI Public Health Code adopts that includes ban on research using fetuses and to allow health care workers and facilities not to participate in abortions. PA 368 of 1978, 2685, 2689, 20181, 20182 and 20183.

1978 - 1982: Gov. William Milliken issues the first of what will be 11 vetoes of legislative attempts to prohibit Medicaid payments for abortion.

1983 - 1987: Gov. James Blanchard vetoes 6 attempts to ban Medicaid-funded abortions.

The League of Women Voters of the United States believes that public policy in a pluralistic society must affirm the constitutional right of privacy of the individual to make reproductive choices

1987: Michigan Right to Life launches a successful citizen initiated legislative initiative petition drive to ban public funds being used to pay for abortions for welfare recipients. The Legislature approved the law bypassing the Governor and without a vote of the people. (PA 59 of 1987)

1990: Right to Life has another successful citizen initiated legislative initiative petition drive to require parental consent of at least one parent before a minor can get an abortion The Legislature approved the law by bypassing the Governor and without a vote of the people. (PA 211 of 1990)

1993: Legislature passes law requiring women receive state-mandated counseling and wait 24-hour hours before making an appointment and getting an abortion. PA 133 of 1993 signed by Governor John Engler.

1996: Michigan becomes the first state to ban partial-abortions, PA 273 of 1993 signed by Governor Engler. It was ruled unconstitutional in 1997.

1999: The Legislature passes PA 107 of 1999 and was signed by Governor Engler to ban partial-birth abortions. It was ruled unconstitutional.

1999: Governor Engler and Legislature pass three new laws, Public Acts 207-209 of 1999, that regulate abortion clinics.

2000: Legislature passed law to prohibit clinics from providing their own information required for 24-hour waiting period and instead require using state website. PA 345 of 2000 signed by Governor John Engler.

2003: A federal Partial-Birth Abortion Ban Act of 2003 is adopted and enacted on November 5, 2003. It was upheld as constitutional by U.S. Supreme Court in 2007.[1](#)

2004: The third successful Right to Life citizen initiative legislative petition drive bans partial-birth abortions the Legal Birth Definition Act. The Legislature approves PA 135 of 2004 and could not be vetoed by Governor Granholm. It was ruled unconstitutional and never went into effect.

2012: Legislature passes a bill that requires abortion clinics to conform to the same strict regulatory standards as outpatient surgical centers. Signed by Governor Snyder. PA 499 of 2012,

2013: The Legislature approves a fourth Right to Life citizen initiated legislative petition that requires women to purchase an additional rider on their health insurance if they want to have coverage for an abortion. Governor Snyder vetoed similar legislation. PA 182 of 2013, Abortion Insurance Opt-Out Act.

2018: Gov. Rick Snyder vetoes a bill that would have continued a ban on doctors using video conferencing to prescribe abortion-inducing drugs to pregnant women, SB 1198.

2020: The Michigan Heartbeat Coalition starts a citizen initiative legislative petition drive to ban abortions when a fetal heartbeat is detected, which is generally at about six to eight weeks of pregnancy. They fail to gather enough signatures.

2022: April 7, Planned Parenthood of MI and Dr. Sarah Walleit file a lawsuit challenging the 1931 MI Abortion Law in Michigan's Court of Claims, *Planned Parenthood v Attorney General*. The same day, Governor Whitmer files in Oakland County Circuit Court challenging the 1931 abortion law, *Whitmer v Linderman*.

May 17, MI Court of Claims Judge Elizabeth Gleicher issues a preliminary injunction blocking the implementation of the 1931 law. Right to Life and MI Catholic Conference filed a challenge.

June 24, the U.S. Supreme Court overturns *Roe v Wade* decision, *Dobbs v Jackson Women's Health Clinic*. Governor Whitmer files motion to protect abortion in Michigan Supreme Court.

The 1931 law is below.

THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931 CHAPTER III ABORTION

750.14 Miscarriage; administering with intent to procure; felony, penalty. Sec. 14. Administering drugs, etc., with intent to procure miscarriage—Any person who shall wilfully administer to any pregnant woman any medicine, drug, substance or thing whatever, or shall employ any instrument or other means whatever, with intent thereby to procure the miscarriage of any such woman, unless the same shall have been necessary to preserve the life of such woman, shall be guilty of a felony, and in case the death of such pregnant woman be thereby produced, the offense shall be deemed manslaughter. In any prosecution under this section, it shall not be necessary for the prosecution to prove that no such necessity existed.

History: 1931, Act 328, Eff. Sept. 18, 1931; CL 1948, 750.14. Constitutionality: Section held unconstitutional as relating to abortions in the first trimester of a pregnancy as authorized by the pregnant woman's attending physician in the exercise of his medical judgment. *People v Bricker*, 389 Mich 524; 208 NW2d 172 (1973). Former law: See section 34 of Ch. 153 of R.S. 1846, being CL 1857, § 5744; CL 1871, § 7543; How., § 9108; CL 1897, § 11503; CL 1915, § 15225; CL 1929, § 16741; sec. 35 of Ch. 153 of R.S. 1846; Act 61 of 1867; CL 1871, § 7544; How., § 9109; CL 1897, § 11504; CL 1915, § 15226; and CL 1929, § 16742.

750.15 Abortion, drugs or medicine; advertising or sale to procure; misdemeanor. Sec. 15. Selling drugs, etc., to produce abortion—Any person who shall in any manner, except as hereinafter provided, advertise, publish, sell or publicly expose for sale any pills, powder, drugs or combination of drugs, designed expressly for the use of females for the purpose of procuring an abortion, shall be guilty of a misdemeanor. Any drug or medicine known to be designed and expressly prepared for producing an abortion, shall only be sold upon the written prescription of an established practicing physician of the city, village, or township in which the sale is made; and the druggist or dealer selling the same shall, in a book provided for that purpose, register the name of the purchaser, the date of the sale, the kind and quantity of the medicine sold, and the name and residence of the physician prescribing the same.

History: 1931, Act 328, Eff. Sept. 18, 1931; CL 1948, 750.15. Former law: See section 1 of Act 138 of 1873, being How., § 9312; CL 1897, § 11729; CL 1915, § 15523; CL 1929, § 16885; section 3 of Act 138 of 1873, being How., § 9314; CL 1897, § 11731; CL 1915, § 15525; CL 1929, § 16887; section 2 of Act 138 of 1873, being How., § 9313; CL 1897, § 11730; CL 1915, § 15524; and CL 1929, § 1688

June 29 – Governor Whitmer sent letters to Michigan insurance companies urging this to provide full coverage for reproductive health care.

July 7 – Republicans in the House and Senate filed a challenge in the Court of Appeals against the injunction and asking the case to be dismissed.

July 8 - President Biden signs an Executive Order protecting access to reproductive health care. Information is available here <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/08/fact-sheet-president-biden-to-sign-executive-order-protecting-access-to-reproductive-health-care-services/>

July 11 - the MI Reproductive Freedom for All turned in a record number of signatures to place a constitutional amendment guaranteeing reproductive freedom. Now the petitions will be reviewed by the MI Bureau of Elections.

July 13 – Governor Whitmer signed a new Executive Order that will block the extradition of women coming to the state for an abortion along with any providers who assist in the procedure.

July 14 - The state of Texas sued the Biden administration to block federal rules that say doctors are obligated to perform abortions in emergency situations where a pregnant woman is at imminent risk.

July 15 – The U. S. House of Representatives passed the Women's Health Protection Act to establish a statutory right for health care providers to provide, and patients to receive, abortion services. It would also prohibit states from imposing restrictions on abortion care. The House also passed the Ensuring Access to Abortion Act to ensure no person acting under state law could prevent, restrict, or otherwise retaliate against a person traveling across state lines for lawful abortion services.

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