



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GRETCHEN WHITMER  
GOVERNOR

GARLIN GILCHRIST II  
LT. GOVERNOR

## EXECUTIVE DIRECTIVE

**No. 2022-13**

To: State Department Directors and Autonomous Agency Heads  
From: Governor Gretchen Whitmer  
Date: December 14, 2022  
Re: Constitutional Right to Reproductive Freedom

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On November 8, 2022, the people of Michigan voted to approve Proposal 3 and explicitly enshrine a right to reproductive freedom in the Michigan Constitution. Under this constitutional amendment, women in Michigan can rest assured that they will have the freedom to make their own choices about their reproductive health, including whether to have a pregnancy, whether to end a pregnancy through an abortion, and how they access reproductive health care and contraception.

With this right enshrined in the Michigan Constitution, state officials must ensure that reproductive freedom is secured to all Michiganders. Doing so requires us to review all aspects of our work to confirm that it aligns with the Michigan Constitution as amended and the will of the people of Michigan as expressed at the ballot box.

Acting under sections 1 and 8 of Article 5 of the Michigan Constitution of 1963, I direct the following:

1. Departments and agencies must review aspects of reproductive rights that fall within their jurisdiction and identify and assess their operations and practices to ensure that they provide the maximum protection possible for the fundamental right to reproductive freedom enshrined in the Michigan Constitution.
2. Departments and agencies must identify any laws, regulations, policies, or practices within their jurisdiction, if any, that conflict with the constitutional right to reproductive freedom and work with the Department of the Attorney General to address those conflicts. In so doing, departments and agencies must respect the Michigan Constitution's provision that only a compelling state interest may justify infringement on the protected right and that any such infringement must be achieved by the least restrictive means necessary.

3. Departments and agencies must also identify potential opportunities to proactively increase protections for reproductive freedom.
4. Departments and agencies that communicate directly with the public on matters pertaining to reproductive health must ensure that their material is up to date and incorporates and complies with the recent constitutional amendment.
5. Departments and agencies with enforcement responsibilities must protect the constitutional right to reproductive freedom and continue to decline to cooperate with or assist the authorities of the United States, any state, or any political subdivision of any state in any investigation or proceeding against an individual for obtaining or providing, or assisting another to obtain or provide, any reproductive health care that is legal under the law of the jurisdiction where the care was provided.

This directive is effective immediately.

Thank you for your cooperation in implementing this directive.

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Gretchen Whitmer  
Governor