



Senate Fiscal Agency
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Senate Bill 4 (as reported without amendment)
Sponsor: Senator Jeremy Moss
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the Elliott-Larsen Civil Rights Act (ELCRA) to prohibit discrimination based on sexual orientation and/or gender identity or expression.

Generally, the ELCRA prohibits discrimination in employment, public accommodations and public services, educational facilities, and housing and real estate based on religion, race, color, national origin, age, sex, height, weight, familial status, or marital status.

The bill also would prohibit discrimination in the areas described above based on sexual orientation and gender identity or expression.

The bill would take effect 90 days after its enactment.

MCL 37.2102 et al.

BRIEF RATIONALE

In 2018, the Michigan Civil Rights Commission issued an interpretative statement declaring that sexual orientation and gender identity fall under the definition of "discrimination because of . . . sex" under the ELCRA. Court rulings in 2022 affirmed the same.¹ It was suggested that current practices governing the prohibition against discrimination based on sexual orientation and gender identity or expression be codified in the ELCRA.

PREVIOUS LEGISLATION

(Please note: The information in this summary provides a cursory overview of previous legislation and its progress. It does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is a reintroduction of Senate Bill 208 from the 2021-2022 Legislative Session. The bill was referred to the Senate Committee on Government Operations but received no further action.

Legislative Analyst: Stephen P. Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 2-9-22

Fiscal Analyst: Cory Savino, PhD

¹ *Rouch World, LLC and Uprooted Electrolysis v Department of Civil Rights*, Case No. 162482 (2022).