



Senate Fiscal Agency  
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## BILL ANALYSIS

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Senate Bill 90 (Substitute S-1 as reported)  
Sponsor: Senator Sarah Anthony  
Committee: Civil Rights, Judiciary, and Public Safety

### **CONTENT**

The bill would amend the Elliot-Larsen Civil Rights Act (ELCRA) to prohibit discrimination based on traits historically associated with race, including hair texture and protective hairstyles.

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 would define "race" as inclusive of traits historically associated with race, including hair texture and protective hairstyles. "Protective hairstyles" would include such hairstyles as braids, locks, and twists.

MCL 37.2103

### **BRIEF RATIONALE**

According to testimony, race-based hair discrimination is not uncommon in work environments, schools, and medical facilities, among other places. The ELCRA prohibits discrimination against protected classes (e.g., race, color, or national origin) in many of these places, and so it has been suggested that traits historically associated with race, such as hair texture, be considered an aspect of race as a protected class.

### **PREVIOUS LEGISLATION**

*(Please note: This section does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)*

The bill is a reintroduction of House Bill 4811 of the 2019-2020 Legislative Session.

Legislative Analyst: Tyler P. VanHuyse

### **FISCAL IMPACT**

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

Date Completed: 5-22-23

Fiscal Analyst: Cory Savino, PhD