

HOUSE BILL No. 4856

May 22, 1989, Introduced by Reps. Perry Bullard, Weeks, DeMars, Honigman, Joe Young, Jr., Saunders, Palamara and Gubow and referred to the Committee on Civil Rights.

A bill to amend section 402 of Act No. 453 of the Public Acts of 1976, entitled as amended "Elliott-Larsen civil rights act," as amended by Act No. 512 of the Public Acts of 1982, being section 37.2402 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 402 of Act No. 453 of the Public Acts of
2 1976, as amended by Act No. 512 of the Public Acts of 1982, being
3 section 37.2402 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 402. (1) An educational institution shall not:

6 (a) Discriminate against an individual in the full utiliza-
7 tion of or benefit from the institution, or the services,
8 activities, or programs provided by the institution because of
9 religion, race, color, national origin, AGE, or sex.

1 (b) Exclude, expel, limit, or otherwise discriminate against
2 an individual seeking admission as a student or an individual
3 enrolled as a student in the terms, conditions, or privileges of
4 the institution, because of religion, race, color, national
5 origin, AGE, or sex.

6 (c) For purposes of admission only, make or use a written or
7 oral inquiry or form of application that elicits or attempts to
8 elicit information concerning the religion, race, color, national
9 origin, age, sex, or marital status of a person, except as per-
10 mitted by rule of the commission or as required by federal law,
11 rule, or regulation, or pursuant to an affirmative action
12 program.

13 (d) Print or publish or cause to be printed or published a
14 catalog, notice, or advertisement indicating a preference, limi-
15 tation, specification, or discrimination based on the religion,
16 race, color, national origin, AGE, or sex of an applicant for
17 admission to the educational institution.

18 (e) Announce or follow a policy of denial or limitation
19 through a quota or otherwise of educational opportunities of a
20 group or its members because of religion, race, color, national
21 origin, AGE, or sex.

22 (f) Encourage or condone legally required discrimination
23 against an individual on the basis of race or color by knowingly
24 making or maintaining after April 1, 1984, an investment in an
25 organization operating in the republic of South Africa. This
26 subdivision shall not apply to a private educational
27 institution.

1 (g) Encourage or condone religious discrimination or ethnic
2 discrimination by knowingly making or maintaining after
3 February 1, 1983, an investment in an organization operating in
4 the Union of Soviet Socialist Republics.

5 (2) The department shall compile, from information obtained
6 from the United States department of commerce, a current register
7 of organizations operating in the republic of South Africa and
8 the Union of Soviet Socialist Republics. The department shall
9 make the register available, upon request, to a person, board, or
10 commission for a reasonable charge.

11 (3) As used in this section:

12 (a) "Investment" means money placed in shares of stock and
13 other equity interests. Investment does not include an evidence
14 of indebtedness arising from a transfer of direct obligations of,
15 or obligations that are fully guaranteed as to principal and
16 interest by, the United States or any agency ~~thereof~~ OF THE
17 UNITED STATES, that a bank is obligated to repurchase or a bank
18 deposit made in the ordinary course of business.

19 (b) "Organization" means a United States firm, or a subsid-
20 iary or affiliate of a United States firm, as determined by the
21 United States department of commerce.