

HOUSE BILL No. 5964

October 19, 2016, Introduced by Reps. Sarah Roberts, Faris, Chirkun, Darany, Brinks, Greig, LaVoy, Townsend, Cochran, Chang, Wittenberg, Driskell, Lane and Pagan and referred to the Committee on Criminal Justice.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 602 (MCL 37.2602), as amended by 1992 PA 258.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 602. **(1)** The department shall **DO ALL OF THE FOLLOWING:**

2 (a) Be responsible to the executive director, who ~~shall be~~ **IS**
3 the principal executive officer of the department and ~~shall be~~ **IS**
4 responsible for executing the policies of the commission.

5 (b) Appoint necessary employees and agents and fix their
6 compensation in accordance with civil service rules. The attorney
7 general shall appear for and represent the department or the
8 commission in a court having jurisdiction of a matter under this
9 act.

10 (c) Receive, initiate, investigate, conciliate, adjust,

1 dispose of, issue charges, and hold hearings on complaints alleging
2 a violation of this act, and approve or disapprove plans to correct
3 past discriminatory practices ~~which~~**THAT** have caused or resulted in
4 a denial of equal opportunity with respect to groups or persons
5 protected by this act.

6 (d) Require answers to interrogatories, order the submission
7 of books, papers, records, and other materials pertinent to a
8 complaint, and require the attendance of witnesses, administer
9 oaths, take testimony, and compel, through court authorization,
10 compliance with its orders or an order of the commission.

11 (e) Cooperate or contract with persons and state, local, and
12 other agencies, both public and private, including agencies of the
13 federal government and of other states.

14 (f) Monitor the awarding and execution of contracts to ensure
15 compliance by a contractor or a subcontractor with a covenant
16 entered into or to be entered into pursuant to section 209.

17 **(2) UPON THE REQUEST OF AN INDIVIDUAL WHO IS THE ALLEGED**
18 **VICTIM OF SEXUAL HARASSMENT DESCRIBED IN A COMPLAINT FILED WITH THE**
19 **DEPARTMENT, THE DEPARTMENT SHALL KEEP THE IDENTITY OF THE**
20 **INDIVIDUAL CONFIDENTIAL. THE IDENTITY OF AN ALLEGED VICTIM OF**
21 **SEXUAL HARASSMENT IN A COMPLAINT FILED WITH THE DEPARTMENT IS**
22 **EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976**
23 **PA 442, MCL 15.231 TO 15.246.**