

HOUSE BILL NO. 4381

March 02, 2021, Introduced by Reps. Liberati, Steenland, Tyrone Carter, Hood, Bolden, Steckloff, Puri, Brabec, Sowerby, Pohutsky, Manoogian, Stone, Garza, Witwer, Coleman and Kupp and referred to the Committee on Judiciary.

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, and by adding section 701a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 602. The department shall:
- 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.

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

6 (c) Receive, initiate, investigate, conciliate, adjust,
7 dispose of, issue charges, and hold hearings on complaints alleging
8 a violation of this act, and approve or disapprove plans to correct
9 past discriminatory practices ~~which~~**that** have caused or resulted in
10 a denial of equal opportunity with respect to groups or persons
11 protected by this act. **When conducting an investigation under this**
12 **subdivision, the department shall follow procedures that ensure to**
13 **the greatest extent reasonably possible the anonymity of any**
14 **individual who has alleged a violation of this act or has assisted**
15 **or participated in the investigation.**

16 (d) Require answers to interrogatories; ~~and~~ order the submission
17 of books, papers, records, and other materials pertinent to a
18 complaint; ~~and~~ require the attendance of witnesses; ~~and~~ administer
19 oaths; ~~and~~ take testimony; ~~and~~ compel, through court authorization,
20 compliance with its orders or an order of the commission.

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

24 (f) Monitor the awarding and execution of contracts to ensure
25 compliance by a contractor or a subcontractor with a covenant
26 entered into or to be entered into ~~pursuant to~~**under** section 209.

27 **Sec. 701a. A person subject to this act that investigates an**
28 **alleged violation of this act shall follow procedures that ensure**
29 **to the greatest extent reasonably possible the anonymity of any**

1 individual who has alleged the violation or has assisted or
2 participated in the investigation.