

SUBSTITUTE FOR  
SENATE BILL NO. 207

A bill to amend 1976 PA 453, entitled  
"Elliott-Larsen civil rights act,"  
by amending the title and section 502 (MCL 37.2502), as amended by  
2023 PA 6.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 TITLE  
2 An act to define civil rights; to prohibit discriminatory  
3 practices, policies, and customs in the exercise of those rights  
4 based upon religion, race, color, national origin, age, sex, sexual  
5 orientation, gender identity or expression, height, weight,  
6 familial status, ~~or~~ marital status, **or source of income**; to  
7 preserve the confidentiality of records regarding arrest,  
8 detention, or other disposition in which a conviction does not

1 result; to prescribe the powers and duties of the civil rights  
2 commission and the department of civil rights; to provide remedies  
3 and penalties; to provide for fees; and to repeal ~~certain~~ acts and  
4 parts of acts.

5       Sec. 502. (1) A person engaging in a real estate transaction,  
6 or a real estate broker or salesperson, shall not on the basis of  
7 religion, race, color, national origin, age, sex, sexual  
8 orientation, gender identity or expression, familial status, or  
9 marital status of an individual or anyone residing with that  
10 individual do any of the following:

11       (a) Refuse to engage in a real estate transaction with a  
12 person.

13       (b) Discriminate against a person in the terms, conditions, or  
14 privileges of a real estate transaction or in the furnishing of  
15 facilities or services in connection with a real estate  
16 transaction.

17       (c) Refuse to receive from a person or transmit to a person a  
18 bona fide offer to engage in a real estate transaction.

19       (d) Refuse to negotiate for a real estate transaction with a  
20 person.

21       (e) Represent to a person that real property is not available  
22 for inspection, sale, rental, or lease when in fact it is so  
23 available, or knowingly fail to bring a property listing to a  
24 person's attention, or refuse to permit a person to inspect real  
25 property, or otherwise make unavailable or deny real property to a  
26 person.

27       (f) Make, print, circulate, post, mail, or otherwise cause to  
28 be made or published a statement, advertisement, notice, or sign,  
29 or use a form of application for a real estate transaction, or make

1 a record of inquiry in connection with a prospective real estate  
2 transaction, that indicates, directly or indirectly, an intent to  
3 make a preference, limitation, specification, or discrimination  
4 with respect to the real estate transaction.

5 (g) Offer, solicit, accept, use, or retain a listing of real  
6 property with the understanding that a person may be discriminated  
7 against in a real estate transaction or in the furnishing of  
8 facilities or services in connection with that transaction.

9 (h) Discriminate against a person in the brokering or  
10 appraising of real property.

11 (2) A person shall not deny a person access to, or membership  
12 or participation in, a multiple listing service, real estate  
13 brokers' organization or other service, organization, or facility  
14 relating to the business of selling or renting real property or  
15 discriminate against the person in the terms or conditions of that  
16 access, membership, or participation because of religion, race,  
17 color, national origin, age, sex, sexual orientation, gender  
18 identity or expression, familial status, or marital status.

19 **(3) A person that is a landlord of a rental unit shall not,**  
20 **based on the source of income of an otherwise eligible prospective**  
21 **or current tenant, do any of the following:**

22 **(a) Deny or terminate a tenancy to the prospective or current**  
23 **tenant.**

24 **(b) Make any distinction, discrimination, or restriction**  
25 **against the prospective or current tenant in the price, terms,**  
26 **conditions, fees, or privileges relating to the rental, lease, or**  
27 **occupancy of a rental unit or in the furnishing of any facilities**  
28 **or services in connection with the rental, lease, or occupancy of**  
29 **the rental unit.**

1 (c) Otherwise make unavailable or deny any rental unit to the  
2 prospective or current tenant if the prospective or current tenant  
3 would be eligible to rent the rental unit but for the individual's  
4 source of income.

5 (d) Represent to the prospective tenant that a rental unit is  
6 not available for inspection, rental, or lease when in fact it is  
7 so available, or knowingly fail to bring a rental listing to the  
8 prospective tenant's attention, or refuse to permit the prospective  
9 tenant to inspect a rental unit.

10 (e) Make any distinction, discrimination, or restriction  
11 against the prospective or current tenant in the price, terms,  
12 conditions, fees, or privileges relating to the rental, lease, or  
13 occupancy of any rental unit on the basis of the prospective or  
14 current tenant's use of emergency rental assistance.

15 (f) If the person is a landlord that requires a prospective or  
16 current tenant to have a certain threshold level of income, exclude  
17 any source of income in the form of a rent voucher or subsidy when  
18 calculating whether the income criteria have been met. This  
19 subdivision does not apply to emergency rental assistance.

20 (g) Attempt to discourage the rental or lease of any rental  
21 unit to the prospective or current tenant.

22 (h) Publish, circulate, display, or cause to be published,  
23 circulated, or displayed any communication, notice, advertisement,  
24 or sign of any kind relating to the rental or lease of any rental  
25 unit that indicates a preference, limitation, or requirement based  
26 on any source of income.

27 (i) Assist, induce, incite, or coerce another person to commit  
28 an act or engage in a practice that violates this subsection.

29 (j) Coerce, intimidate, threaten, or interfere with any person

1 in the exercise or enjoyment of, or on account of the person having  
2 exercised or enjoyed or having aided or encouraged any other person  
3 in the exercise or enjoyment of, any right granted or protected  
4 under this subsection.

5 (4) Subsection (3) does not apply to a person if the person,  
6 including all related entities to that person, is a landlord of  
7 fewer than 5 rental units in this state. As used in this  
8 subsection:

9 (a) "Person" means an individual, partnership, corporation,  
10 association, limited liability company, or any other legal entity.

11 (b) "Related entity" means a person that, directly or  
12 indirectly, controls, is controlled by, or is under common control  
13 with another person.

14 (5) ~~(3)~~—This section is subject to section 503.

15 (6) As used in this section, "landlord", "tenant", rental  
16 unit, and "source of income" mean those terms as defined in section  
17 1 of 1972 PA 348, MCL 554.601.

18 Enacting section 1. This amendatory act does not take effect  
19 unless Senate Bill No. 206 of the 102nd Legislature is enacted into  
20 law.