

HOUSE BILL NO. 4853

June 27, 2023, Introduced by Reps. Steckloff, Rheingans, Byrnes, Arbit, Stone, Scott, Wilson, Tsernoglou, Skaggs, Brabec, Pohutsky, Tyrone Carter, Hood, Dievendorf, Edwards, Miller, Morgan, Hill, Coffia, Mentzer, Brixie, Weiss, Breen, Rogers, Haadsma, Glanville, Price, Young, Witwer, MacDonell, Fitzgerald and Aiyash and referred to the Committee on Higher Education.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 402 (MCL 37.2402), as amended by 2023 PA 6.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 402. An educational institution shall not do any of the
2 following:

3 (a) Discriminate against an individual in the full utilization
4 of or benefit from the institution, or the services, activities, or
5 programs provided by the institution, because of religion, race,

1 color, national origin, sex, sexual orientation, or gender identity
2 or expression.

3 (b) Exclude, expel, limit, or otherwise discriminate against
4 an individual seeking admission as a student or an individual
5 enrolled as a student in the terms, conditions, or privileges of
6 the institution, because of religion, race, color, national origin,
7 sex, sexual orientation, or gender identity or expression.

8 (c) For purposes of admission only, make or use a written or
9 oral inquiry or form of application that elicits or attempts to
10 elicit information concerning the religion, race, color, national
11 origin, age, sex, sexual orientation, gender identity or
12 expression, or marital status of an individual, except as permitted
13 by rule of the commission or as required by federal law, rule, or
14 regulation, or pursuant to an affirmative action program.

15 (d) Print or publish or cause to be printed or published a
16 catalog, notice, or advertisement indicating a preference,
17 limitation, specification, or discrimination based on the religion,
18 race, color, national origin, sex, sexual orientation, or gender
19 identity or expression, of an applicant for admission to the
20 educational institution.

21 (e) Announce or follow a policy of denial or limitation
22 through a quota or otherwise of educational opportunities of a
23 group or its members because of religion, race, color, national
24 origin, sex, sexual orientation, or gender identity or expression.

25 **(f) Discriminate against an individual in the full utilization**
26 **of or benefit from the institution, or the services, activities, or**
27 **programs provided by the institution, because the individual is**
28 **wearing traditional regalia or possesses traditional objects. As**
29 **used in this subdivision:**

1 (i) "Indigenous individual" means an individual who identifies
2 as an original or first person of a region or country.

3 (ii) "Traditional objects" means any cultural, religious, or
4 ceremonial items or objects that hold tribal or ancestral meaning,
5 significance, or importance for an individual, including an
6 indigenous individual.

7 (iii) "Traditional regalia" means any cultural, religious, or
8 ceremonial clothing or wearable items representing an individual's
9 tribal or ancestral traditions, including the tribal or ancestral
10 traditions of an indigenous individual.