

SENATE BILL No. 685

January 21, 1992, Introduced by Senator N. SMITH and
referred to the Committee on Government Operations.

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 sec-
tion 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 DO ANY
6 OF THE FOLLOWING:

7 (a) Discriminate against an individual in the full
8 utilization of or benefit from the institution, or the services,

1 activities, or programs provided by the institution because of
2 religion, race, color, national origin, or sex.

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
7 origin, or sex.

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, or marital status of a person, except as per-
12 mitted by rule of the commission or as required by federal law,
13 rule, or regulation, or pursuant to an affirmative action
14 program.

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

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

24 (f) Encourage or condone legally required discrimination
25 against an individual on the basis of race or color by knowingly
26 making or maintaining after April 1, 1984, an investment in an
27 organization operating in the ~~republic~~ REPUBLIC of South

1 Africa. This subdivision shall not apply to a private
2 educational institution.

3 ~~(g) Encourage or condone religious discrimination or ethnic~~
4 ~~discrimination by knowingly making or maintaining after February~~
5 ~~1, 1983, an investment in an organization operating in the Union~~
6 ~~of Soviet Socialist Republics.~~

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

13 (3) As used in this section:

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

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