

Legislative Analysis



ALLOW DOC TO HIRE EX-FELONS; INCLUDE PRISONS UNDER "PUBLIC SERVICES"

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House Bill 6666

Sponsor: Rep. Alma Wheeler Smith

Committee: Judiciary

Complete to 12-2-08

A REVISED SUMMARY OF HOUSE BILL 6666 AS INTRODUCED 11-19-08

House Bill 6666 would amend the Elliot-Larsen Civil Rights Act (MCL 37.2301). Currently, the definition of "public service" under the act specifically excludes a state or county correctional facility with respect to actions and decisions regarding an individual serving a sentence of imprisonment. The bill would eliminate this exclusion.

[The Elliot-Larsen Civil Rights Act says in Section 302(a) that a person shall not "deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service because of religion, race, color, national origin, age, sex, or marital status." (Emphasis added.)]

FISCAL IMPACT:

The bill could increase costs for the state and local units of government. Any increase in costs would depend on the number of actions brought by offenders as a result of the bill, the extent to which they were sustained, and the size of any awards or cost of any injunctive relief. Costs of litigating any additional actions brought by state prisoners would be borne by the attorney general; costs of any awards or injunctive relief to state prisoners generally would be borne by the Department of Corrections. Costs of litigation and awards associated with county jail inmates would be borne by the affected counties.

House Bill 6666 would have no fiscal impact on the Department of Civil Rights.

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