

# HOUSE BILL No. 6226

June 5, 2008, Introduced by Reps. Young, Miller, Farrah, Warren, Jackson, Hopgood, Rick Jones, Cushingberry, Johnson, Donigan, Leland, Lemmons, Sheltroun, Gillard and Scott and referred to the Committee on Labor.

A bill to amend 1976 PA 453, entitled  
"Elliott-Larsen civil rights act,"  
by amending section 103 (MCL 37.2103), as amended by 1999 PA 202.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 103. As used in this act:

2       (a) "Age" means chronological age except as otherwise provided  
3 by law.

4       (b) "Commission" means the civil rights commission established  
5 by section 29 of article V of the state constitution of 1963.

6       (c) "Commissioner" means a member of the commission.

7       (d) "Department" means the department of civil rights or its  
8 employees.

9       (e) "Familial status" means 1 or more individuals under the

1 age of 18 residing with a parent or other person having custody or  
2 in the process of securing legal custody of the individual or  
3 individuals or residing with the designee of the parent or other  
4 person having or securing custody, with the written permission of  
5 the parent or other person. For purposes of this definition,  
6 "parent" includes a person who is pregnant.

7 (f) "National origin" includes the national origin of an  
8 ancestor.

9 (g) "Person" means an individual, agent, association,  
10 corporation, joint apprenticeship committee, joint stock company,  
11 labor organization, legal representative, mutual company,  
12 partnership, receiver, trust, trustee in bankruptcy, unincorporated  
13 organization, the state or a political subdivision of the state or  
14 an agency of the state, or any other legal or commercial entity.

15 (h) "Political subdivision" means a county, city, village,  
16 township, school district, or special district or authority of the  
17 state.

18 (i) Discrimination because of sex includes, **BUT IS NOT LIMITED**  
19 **TO, sexual harassment AND UNPAID LEAVE OF A POLICE OFFICER DURING**  
20 **PREGNANCY IF THE OFFICER IS CAPABLE OF PERFORMING LIGHT DUTY.**

21 Sexual harassment means unwelcome sexual advances, requests for  
22 sexual favors, and other verbal or physical conduct or  
23 communication of a sexual nature under the following conditions:

24 (i) Submission to the conduct or communication is made a term  
25 or condition either explicitly or implicitly to obtain employment,  
26 public accommodations or public services, education, or housing.

27 (ii) Submission to or rejection of the conduct or communication

1 by an individual is used as a factor in decisions affecting the  
2 individual's employment, public accommodations or public services,  
3 education, or housing.

4 (iii) The conduct or communication has the purpose or effect of  
5 substantially interfering with an individual's employment, public  
6 accommodations or public services, education, or housing, or  
7 creating an intimidating, hostile, or offensive employment, public  
8 accommodations, public services, educational, or housing  
9 environment.