

# Legislative Analysis

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## CIVIL RIGHTS: SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION

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### House Bill 4192

Sponsor: Rep. Rebekah Warren

Committee: Judiciary

Complete to 8-25-08

### A SUMMARY OF HOUSE BILL 4192 AS INTRODUCED 2-5-09

The Elliott-Larsen Civil Rights Act, generally speaking, prohibits discriminatory practices, policies, and customs in the exercise of civil rights based upon religion, race, color, national origin, age, sex, height, weight, familial status, and marital status. House Bill 4192 would amend the act (MCL 37.102 et al.) to add two categories: **sexual orientation** and **gender identity and expression**.

The term **sexual orientation** would be defined to mean *having an orientation for heterosexuality, homosexuality, or bisexuality or having a history of such an orientation or being identified with such an orientation*.

The term **gender identity or expression** would be defined to mean *having or being perceived as having a gender-related self-identity or expression whether or not associated with an individual's assigned sex or birth*.

Among other things, the bill would add these terms in provisions addressing employment rights, public accommodations and public services, and real estate and related transactions. The act states (Section 102) that,

*The opportunity to obtain employment, housing, and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination [because of the listed factors] is recognized and declared to be a civil right.*

### FISCAL IMPACT:

There would be minimal costs to the state for printing. Posters, brochures, and other literature would have to be reprinted to include the new categories. Also, there would be an increase in costs for investigations with the addition of the two new categories of cases. However, most of these costs would be reimbursed by either the United States Department of Housing and Urban Development or the United States Equal Employment Opportunity Commission.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.