

HOUSE BILL No. 5249

November 9, 2017, Introduced by Reps. Clemente, Pagan, Geiss, Green, Yanez, Wittenberg, Faris, Guerra, Camilleri, Gay-Dagnogo, Brinks, Zemke, Chang, Durhal, Rabhi, Hertel, Lasinski, Greig, Santana and Garrett and referred to the Committee on Commerce and Trade.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending the title and section 502 (MCL 37.2502), the title as
amended by 1992 PA 258 and section 502 as amended by 1992 PA 124.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

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An act to define civil rights; to prohibit discriminatory
practices, policies, and customs in the exercise of those rights
based upon religion, race, color, national origin, age, sex,
height, weight, familial status, ~~ex~~-marital status, **OR STATUS AS A**
VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; to
preserve the confidentiality of records regarding arrest,
detention, or other disposition in which a conviction does not
result; to prescribe the powers and duties of the civil rights

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1 commission and the department of civil rights; to provide remedies
2 and penalties; to provide for fees; and to repeal certain acts and
3 parts of acts.

4 Sec. 502. (1) A person engaging in a real estate transaction,
5 or a real estate broker or salesman, shall not on the basis of
6 religion, race, color, national origin, age, sex, familial status,
7 ~~or~~ marital status of a person or a person residing with that
8 person, **OR STATUS AS A VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT,**
9 **OR STALKING DO ANY OF THE FOLLOWING:**

10 (a) Refuse to engage in a real estate transaction with a
11 person.

12 (b) Discriminate against a person in the terms, conditions, or
13 privileges of a real estate transaction or in the furnishing of
14 facilities or services in connection with a real estate
15 transaction.

16 (c) Refuse to receive from a person or transmit to a person a
17 bona fide offer to engage in a real estate transaction.

18 (d) Refuse to negotiate for a real estate transaction with a
19 person.

20 (e) Represent to a person that real property is not available
21 for inspection, sale, rental, or lease when in fact it is so
22 available, or knowingly fail to bring a property listing to a
23 person's attention, or refuse to permit a person to inspect real
24 property, or otherwise make unavailable or deny real property to a
25 person.

26 (f) Make, print, circulate, post, mail, or otherwise cause to
27 be made or published a statement, advertisement, notice, or sign,

1 or use a form of application for a real estate transaction, or make
2 a record of inquiry in connection with a prospective real estate
3 transaction, which indicates, directly or indirectly, an intent to
4 make a preference, limitation, specification, or discrimination
5 with respect to the real estate transaction.

6 (g) Offer, solicit, accept, use, or retain a listing of real
7 property with the understanding that a person may be discriminated
8 against in a real estate transaction or in the furnishing of
9 facilities or services in connection therewith.

10 (h) Discriminate against a person in the brokering or
11 appraising of real property.

12 (2) A person shall not deny a person access to, or membership
13 or participation in, a multiple listing service, real estate
14 brokers' organization or other service, organization, or facility
15 relating to the business of selling or renting real property or ~~to~~
16 discriminate against him or her in the terms or conditions of that
17 access, membership, or participation because of religion, race,
18 color, national origin, age, sex, familial status, or marital
19 status.

20 (3) This section is subject to section 503.

21 **(4) AS USED IN THIS SECTION:**

22 **(A) "DOMESTIC VIOLENCE" MEANS THAT TERM AS DEFINED IN SECTION**
23 **1 OF 1978 PA 389, MCL 400.1501.**

24 **(B) "SEXUAL ASSAULT" MEANS CONDUCT DESCRIBED IN SECTIONS 520A**
25 **TO 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520A TO**
26 **750.520G.**

27 **(C) "STALKING" MEANS THAT TERM AS DEFINED IN SECTION 411H OF**

1 THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411H.