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## BILL ANALYSIS



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Senate Bill 147 (as introduced 3-7-23)  
Sponsor: Senator Erika Geiss  
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 3-15-23

**CONTENT**

**The bill would amend the Elliot-Larsen Civil Rights Act (ELCRA) to delete a provision specifying that the prohibition against an employer treating an individual affected by pregnancy, childbirth, or a related medical condition differently from another individual does not apply in the case of a nontherapeutic abortion not intended to save the life of the mother.**

Specifically, the ELCRA prohibits an employer from treating an individual affected by pregnancy, childbirth, or a related medical condition differently for any employment-related purpose from another individual who is not so affected but similar in ability or inability to work, without regard to the source of any condition affecting the other individual's ability or inability to work.

For the purposes of the prohibition above, the Act specifies that a medical condition related to pregnancy or childbirth does not include nontherapeutic abortion not intended to save the life of the mother. The bill would delete this provision.

In addition, the ELCRA specifies that "sex" includes pregnancy, childbirth, or a medical condition related to pregnancy or childbirth that does not include a nontherapeutic abortion not intended to save the life of the mother. Instead, under the bill, "sex" would include pregnancy, childbirth, or a medical condition related to pregnancy or childbirth or the termination of a pregnancy.

Generally, the ELCRA prohibits an employer from discriminating against an individual based on religion, race, color, national origin, age, sex, height, weight, or marital status. The bill also would prohibit an employer from discriminating against an individual based on sexual orientation and gender identity or expression (note: this language also was included in Senate Bill 4).

The bill is tie-barred to Senate Bill 4. (Senate Bill 4, which would amend the ELCRA to prohibit discrimination based on sexual orientation or gender identity or expression, has been passed by the Senate and House and ordered enrolled.)

MCL 37.2201 & 37.2202

Legislative Analyst: Tyler P. VanHuyse

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Cory Savino, PhD

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