

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 147

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending sections 201 and 202 (MCL 37.2201 and 37.2202), section
201 as amended by 1980 PA 202 and section 202 as amended by 2023 PA
6.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 201. As used in this article:

2 (a) "Employer" means a person ~~who~~**that** has 1 or more
3 employees, and includes an agent of that person.

4 (b) "Employment agency" means a person regularly undertaking
5 with or without compensation to procure, refer, recruit, or place
6 an employee for an employer or to procure, refer, recruit, or place
7 for an employer or person the opportunity to work for an employer

1 and includes an agent of that person.

2 (c) "Labor organization" includes:

3 (i) An organization of any kind, **or** an agency or employee
4 representation committee, group, association, or plan, in which
5 employees participate and ~~which-that~~ exists for the purpose, in
6 whole or in part, of dealing with employers concerning grievances,
7 labor disputes, wages, rates of pay, hours, or other terms or
8 conditions of employment.

9 (ii) A conference, general committee, joint or system board, or
10 joint council ~~which-that~~ is subordinate to a national or
11 international labor organization.

12 (iii) An agent of a labor organization.

13 (d) "Sex" includes, but is not limited to, pregnancy,
14 childbirth, **the termination of a pregnancy**, or a **related** medical
15 condition. ~~related to pregnancy or childbirth that does not include~~
16 ~~nontherapeutic abortion not intended to save the life of the~~
17 ~~mother.~~

18 Sec. 202. (1) An employer shall not do any of the following:

19 (a) Fail or refuse to hire or recruit, discharge, or otherwise
20 discriminate against an individual with respect to employment,
21 compensation, or a term, condition, or privilege of employment,
22 because of religion, race, color, national origin, age, sex, sexual
23 orientation, gender identity or expression, height, weight, or
24 marital status.

25 (b) Limit, segregate, or classify an employee or applicant for
26 employment in a way that deprives or tends to deprive the employee
27 or applicant of an employment opportunity or otherwise adversely
28 affects the status of the employee or applicant because of
29 religion, race, color, national origin, age, sex, sexual

1 orientation, gender identity or expression, height, weight, or
2 marital status.

3 (c) Segregate, classify, or otherwise discriminate against an
4 individual on the basis of sex with respect to a term, condition,
5 or privilege of employment, including, but not limited to, a
6 benefit plan or system.

7 (d) Treat an individual affected by pregnancy, childbirth, **the**
8 **termination of a pregnancy**, or a related medical condition
9 differently for any employment-related purpose from another
10 individual who is not so affected but similar in ability or
11 inability to work, without regard to the source of any condition
12 affecting the other individual's ability or inability to work. ~~For~~
13 ~~purposes of this subdivision, a medical condition related to~~
14 ~~pregnancy or childbirth does not include nontherapeutic abortion~~
15 ~~not intended to save the life of the mother.~~

16 (2) This section does not prohibit the establishment or
17 implementation of a bona fide retirement policy or system that is
18 not a subterfuge to evade the purposes of this section.

19 (3) This section does not apply to the employment of an
20 individual by the individual's parent, spouse, or child.