

# HOUSE BILL NO. 5630

March 20, 2024, Introduced by Reps. McKinney, MacDonell, Paiz, Dievendorf, Wegela, Edwards, Farhat, Rheingans, Morgan, Hood, Wilson, Brabec, Byrnes, Brixie, Price, McFall, Hope, Young, Koleszar, Hill and Weiss and referred to the Committee on Economic Development and Small Business.

A bill to amend 1976 PA 220, entitled  
"Persons with disabilities civil rights act,"  
(MCL 37.1101 to 37.1607) by adding section 506b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 506b. (1) This section imposes obligations on all of the**  
2 **following:**

3           **(a) A person foreclosing a mortgage or land contract under any**  
4 **of the following:**

5           **(i) Chapter 31 of the revised judicature act of 1961, 1961 PA**  
6 **236, MCL 600.3101 to 600.3185.**

1           (ii) Chapter 32 of the revised judicature act of 1961, 1961 PA  
2 236, MCL 600.3201 to 600.3285.

3           (iii) The state housing development authority act of 1966, 1966  
4 PA 346, MCL 125.1401 to 125.1499c.

5           (b) A person bringing summary proceedings to recover the  
6 possession of premises under chapter 57 or 57a of the revised  
7 judicature act of 1961, 1961 PA 236, MCL 600.5701 to 600.5785.

8           (2) This section provides protection to any of the following  
9 individuals if the individual is a person with a disability:

10           (a) A mortgagor of a mortgage that is the subject of a  
11 foreclosure as described in subsection (1).

12           (b) A vendee of a land contract that is the subject of a  
13 foreclosure as described in subsection (1).

14           (c) An individual in possession of premises that is the  
15 subject of summary proceedings as described in subsection (1).

16           (3) A person described in subsection (1) shall take  
17 appropriate steps to invite suggestions from individuals who may  
18 qualify for protection under subsection (2) as to reasonable  
19 accommodations that may be necessary to ensure that communications  
20 with those individuals described in subsection (2), and any  
21 companions with disabilities, including, but not limited to,  
22 notices required in connection with the foreclosure or summary  
23 proceedings, are as effective as communications with others.

24           (4) A person described in subsection (1) shall not refuse to  
25 make reasonable accommodations that may be necessary to ensure that  
26 communications with an individual described in subsection (2), and  
27 any companion with disabilities, including, but not limited to,  
28 notices required in connection with the foreclosure or summary  
29 proceedings, are as effective as communications with others.

1           (5) A person described in subsection (1) shall furnish  
2 appropriate auxiliary aids and services where necessary to allow  
3 effective communication with an individual described in subsection  
4 (2). In determining what auxiliary aids and services are necessary,  
5 the person described in subsection (1) shall give primary  
6 consideration to the suggestion of the individual described in  
7 subsection (2). The person described in subsection (1) shall  
8 provide the auxiliary aids and services in accessible formats, in a  
9 timely manner, and in such a way as to protect the privacy and  
10 independence of the individual described in subsection (2), or  
11 companion.

12           (6) To satisfy the requirements of this section, the person  
13 described in subsection (1) shall not do either of the following:

14           (a) Require the individual described in subsection (2), or  
15 companion, to bring another individual to interpret for the  
16 individual described in subsection (2), or companion.

17           (b) Rely on an adult accompanying an individual described in  
18 subsection (2), or companion, to interpret or facilitate  
19 communication, except in either of the following circumstances:

20           (i) An emergency involving an imminent threat to the safety or  
21 welfare of an individual or the public when there is no interpreter  
22 available.

23           (ii) The individual described in subsection (2), or companion,  
24 specifically requests that the accompanying adult interpret or  
25 facilitate communication, the accompanying adult agrees to provide  
26 the assistance, and reliance on that adult for the assistance is  
27 appropriate under the circumstances.

28           (7) To satisfy the requirements of this section, the person  
29 described in subsection (1) shall not rely on a minor to interpret

1 or facilitate communication, except in an emergency involving an  
2 imminent threat to the safety or welfare of an individual or the  
3 public when there is no interpreter available.

4 (8) A person described in subsection (1) that chooses to  
5 satisfy a requirement of this section by providing a qualified  
6 interpreter via video remote interpreting services shall ensure  
7 that the video remote interpreting services provide all of the  
8 following:

9 (a) Real-time, full-motion video and audio over a dedicated  
10 high-speed, wide-bandwidth video connection or wireless connection  
11 that delivers high-quality video images that do not produce lags;  
12 choppy, blurry, or grainy images; or irregular pauses in  
13 communication.

14 (b) A sharply delineated image that is large enough to display  
15 the interpreter's face, arms, hands, and fingers, and the  
16 participating individual's face, arms, hands, and fingers,  
17 regardless of the participating individual's body position.

18 (c) A clear, audible transmission of voices.

19 (d) Adequate training to users of the technology and other  
20 involved individuals so that they may quickly and efficiently set  
21 up and operate the services.

22 (9) A notice required to be given in connection with the  
23 foreclosure or summary proceedings is not effective unless the  
24 individual described in subsection (2) who is to receive the notice  
25 provides an acknowledgment to the individual described in  
26 subsection (1) that both of the following are true:

27 (a) The individual described in subsection (2) has received  
28 the notice.

29 (b) The notice is in a form that the individual described in

1 subsection (2) can understand.

2 (10) As used in this section, "companion" means a family  
3 member, friend, or associate of the individual described in  
4 subsection (2), who is an appropriate individual with whom the  
5 person described in subsection (1) should communicate.

6 Enacting section 1. This amendatory act does not take effect  
7 unless Senate Bill No. \_\_\_\_ or House Bill No. 5631 (request no.  
8 03064'23) of the 102nd Legislature is enacted into law.