

HOUSE BILL NO. 4475

May 08, 2025, Introduced by Reps. DeSana, Linting, Fox, Paquette, Outman, Hoadley, Greene, Wortz, Johnsen, Carra, Kelly, Meerman, Rigas, St. Germaine, Kunse, Markkanen, Cavitt, Harris, Schriver, Bierlein, Woolford, Alexander, BeGole, Maddock, Thompson, Pavlov, DeBoyer, Smit, Lightner, Whitsett, Liberati, O'Neal, Jenkins-Arno, Schmaltz, Bollin and Beson and referred to Committee on Government Operations.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
(MCL 37.2101 to 37.2804) by amending the title, as amended by 2024
PA 200, and by adding article 5A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 ~~AN ACT~~ **An act** to define civil rights; to prohibit
3 discriminatory practices, policies, and customs in the exercise of
4 those rights based ~~upon~~ **on** religion, race, color, national origin,

age, sex, sexual orientation, gender identity or expression, height, weight, familial status, marital status, **vaccination status**, or source of income; 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 commission and the department of civil rights; to provide remedies and penalties; to provide for fees; and to repeal acts and parts of acts.

Article 5A

Sec. 551. As used in this article:

(a) "Employer" means that term as defined in section 201.

(b) "Health facility or agency" means that term as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(c) "Immunity passport" means a document, digital record, or software application indicating that an individual is immune to a disease, either through vaccination or infection and recovery.

(d) "Regulated entity" means an employer that is subject to a regulation by the Centers for Medicare and Medicaid Services regarding a vaccine. Regulated entity does not include this state, a political subdivision of this state, or a health facility or agency.

(e) "State or local governmental entity" means this state, a political subdivision of this state, or an agency of this state. State or local governmental entity includes a public university or community college described in section 5, 6, or 7 of article VIII of the state constitution of 1963.

(f) "Vaccination status" means an indication of whether an individual has received 1 or more doses of a vaccine.

1 Sec. 552. (1) Subject to subsections (3) and (4), a state or
2 local governmental entity or a private university or community
3 college shall not do any of the following:

4 (a) Refuse, withhold from, or deny to an individual any state
5 or local services, goods, facilities, advantages, privileges,
6 licensing, educational opportunities, health care access, or
7 employment opportunities because of the individual's vaccination
8 status or because the individual does not possess an immunity
9 passport.

10 (b) Directly or indirectly require an individual to receive a
11 vaccine.

12 (2) Subject to subsections (3) and (4), an employer shall not
13 do any of the following because of an individual's vaccination
14 status or because the individual does not possess an immunity
15 passport:

16 (a) Refuse employment to the individual.

17 (b) Terminate the individual's employment.

18 (c) Discriminate against the individual in compensation or in
19 a term, condition, or privilege of employment.

20 (3) This section does not apply to any of the following:

21 (a) A child care organization as that term is defined in
22 section 1 of 1973 PA 116, MCL 722.111.

23 (b) A regulated entity if compliance with this section would
24 result in a violation of a regulation or requirement that affects
25 the regulated entity's funding issued by the Center for Medicare
26 and Medicaid Services or the United States Centers for Disease
27 Control and Prevention.

28 (c) A contract for goods or services entered into before the
29 effective date of the amendatory act that added this section if

1 both of the following conditions apply:

2 (i) Application of this section would result in a substantial
3 impairment of the contract.

4 (ii) The contract is not between an employer and the employer's
5 employee.

6 (d) An employer that is a federal contractor.

7 (e) An employee of a federal contractor.

8 (f) An employer or a state or local governmental entity
9 vaccination requirement of an employee who, as determined by the
10 employer or the state or local governmental entity, meets either of
11 the following conditions:

12 (i) Has direct exposure to human blood, human fecal matter, or
13 other potentially infectious materials that may expose the employee
14 to hepatitis or tuberculosis.

15 (ii) Acts in a public health or medical setting that requires
16 the employee to receive vaccinations to perform the employee's
17 assigned duties and responsibilities.

18 (g) An employer or a state or local governmental entity that
19 does either of the following:

20 (i) Establishes a nexus between a vaccination requirement and
21 an employee's assigned duties and responsibilities.

22 (ii) Identifies an external requirement for vaccination that is
23 not imposed by the employer and is related to the employee's
24 assigned duties and responsibilities.

25 (4) This section does not prohibit a state or local
26 governmental entity or employer from recommending that an employee
27 receive a vaccine.