BREASTFEEDING ANTIDISCRIMINATION ACT
Act 197 of 2014

AN ACT to prohibit discriminatory practices, policies, and customs in the exercise of the right to breastfeed; to provide for enforcement of the right to breastfeed; and to provide remedies.

History: 2014, Act 197, Imd. Eff. June 24, 2014.

The People of the State of Michigan enact:

37.231 Short title; definitions.

Sec. 1. (1) This act shall be known and may be cited as the "breastfeeding antidiscrimination act".

(2) As used in this act:

(a) "Place of public accommodation" means a business, an educational institution, or a refreshment, entertainment, recreation, health, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.

(b) "Public service" means a public facility, department, agency, board, or commission owned, operated, or managed by or on behalf of this state or a subdivision of this state, by a county, city, village, township, or independent or regional district in this state, or by a tax-exempt private agency established to provide service to the public, except that public service does not include a state or county correctional facility with respect to actions or decisions regarding an individual serving a sentence of imprisonment.

History: 2014, Act 197, Imd. Eff. June 24, 2014.

37.232 Person with control over public accommodation or public service; prohibited conduct.

Sec. 2. Except where expressly permitted by state or federal statute or a regulation promulgated thereunder, a person with control over a public accommodation or public service shall not do any of the following:

(a) Deny the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service to a woman because she is breastfeeding a child.

(b) Print, circulate, post, mail, or otherwise cause to be published a statement, advertisement, notice, or sign that indicates any of the following:

(*i*) That the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service will be refused, withheld from, or denied a woman because she is breastfeeding a child.

(*ii*) That a woman's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable because she is breastfeeding a child.

History: 2014, Act 197, Imd. Eff. June 24, 2014.

37.233 Civil action; injunctive relief and damages; costs; fees.

Sec. 3. (1) A person alleging a violation of this act may bring a civil action in a court of appropriate jurisdiction for appropriate injunctive relief, actual damages or presumed damages of $200.00, or both injunctive relief and actual or presumed damages.

(2) In addition to the relief under subsection (1), a court rendering a judgment in an action brought under this act may award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees, to the complainant in the action if the court determines that the award is appropriate.

History: 2014, Act 197, Imd. Eff. June 24, 2014.

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