

Act No. 45
Public Acts of 2023
Approved by the Governor
June 15, 2023
Filed with the Secretary of State
June 15, 2023
EFFECTIVE DATE: June 15, 2023

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Senators Anthony, Geiss, Santana, Cavanagh, McCann, McDonald Rivet, Shink, Klinefelt, Hertel, Chang, Wojno, McMorro, Cherry, Bayer, Moss and Polehanki

ENROLLED SENATE BILL No. 90

AN ACT to amend 1976 PA 453, entitled “An act to define civil rights; to prohibit discriminatory practices, policies, and customs in the exercise of those rights based upon religion, race, color, national origin, age, sex, height, weight, familial status, or marital status; 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 certain acts and parts of acts,” by amending section 103 (MCL 37.2103), as amended by 2023 PA 6.

The People of the State of Michigan enact:

Sec. 103. As used in this act:

- (a) “Age” means chronological age except as otherwise provided by law.
- (b) “Commission” means the civil rights commission established by section 29 of article V of the state constitution of 1963.
- (c) “Commissioner” means a member of the commission.
- (d) “Department” means the department of civil rights or its employees.
- (e) “Familial status” means 1 or more individuals under the age of 18 residing with a parent or other person having custody or in the process of securing legal custody of the individual or individuals or residing with the designee of the parent or other person having or securing custody, with the written permission of the parent or other person. For purposes of this definition, “parent” includes an individual who is pregnant.
- (f) “Gender identity or expression” means having or being perceived as having a gender-related self-identity or expression whether or not associated with an individual’s assigned sex at birth.
- (g) “National origin” includes the national origin of an ancestor.
- (h) “Person” means an individual, agent, association, corporation, joint apprenticeship committee, joint stock company, labor organization, legal representative, mutual company, partnership, receiver, trust, trustee in bankruptcy, unincorporated organization, this state or a political subdivision of this state or an agency of this state, or any other legal or commercial entity.
- (i) “Political subdivision” means a county, city, village, township, school district, or special district or authority of this state.
- (j) “Race” is inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. For purposes of this definition, “protective hairstyles” includes, but is not limited to, such hairstyles as braids, locks, and twists.

(k) Discrimination because of sex includes sexual harassment. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature under the following conditions:

(i) Submission to the conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.

(ii) Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodations or public services, education, or housing.

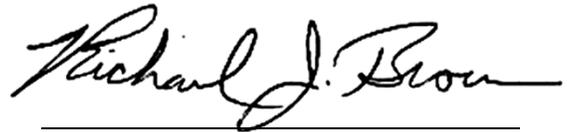
(iii) The conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment.

(l) "Sexual orientation" means having an orientation for heterosexuality, homosexuality, or bisexuality or having a history of such an orientation or being identified with such an orientation.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor