

PERSONS WITH DISABILITIES CIVIL RIGHTS ACT (EXCERPT)
Act 220 of 1976

37.1301 Definitions.

Sec. 301.

As used in this article:

(a) "Place of public accommodation" means a business, educational institution, 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, a county, city, village, township, or independent or regional district in this state or 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: 1976, Act 220, Eff. Mar. 31, 1977 ;-- Am. 1980, Act 478, Imd. Eff. Jan. 20, 1981 ;-- Am. 1999, Act 201, Eff. Mar. 10, 2000

Compiler's Notes: Enacting section 1 of Act 201 of 1999 provides: "Enacting section 1. This amendatory act is curative and intended to correct any misinterpretation of legislative intent in the court of appeals decision in *Doe v Department of Corrections*, 236 Mich App 801 (1999). This legislation further expresses the original intent of the legislature that an individual serving a sentence of imprisonment in a state or county correctional facility is not within the purview of this act."

Constitutionality: Section 301(b), as amended by Act 201 of 1999, added the same language to effectively bar certain individuals from bringing claims under this act as added by Act 202 of 1999 in section 301(b) of the Elliot Larson Civil Rights Act, MCL 37.2301, and that amendment was held unconstitutional. *Doe v Dep't of Corrections*, 504 Mich 883 (2019).