

# HOUSE BILL No. 4476

April 15, 1999, Introduced by Reps. Bishop, Birkholz, Pappageorge, Howell, Gosselin, Vander Roest, Voorhees, Kuipers, Vear, Koetje, Patterson, Richner, Bovin and Scranton and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 301 and 303 (MCL 37.2301 and 37.2303), as amended by 1992 PA 70.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 301. As used in this article:  
2       (a) "Place of public accommodation" means a business, or an  
3 educational, refreshment, entertainment, recreation, health, or  
4 transportation facility, or institution of any kind, whether  
5 licensed or not, whose goods, services, facilities, privileges,  
6 advantages, or accommodations are extended, offered, sold, or  
7 otherwise made available to the public. Place of public accommo-  
8 dation ~~also includes~~ DOES NOT INCLUDE A LOCAL JAIL OR STATE  
9 CORRECTIONAL FACILITY, BUT DOES INCLUDE the facilities of the  
10 following private clubs:

1 (i) A country club or golf club.

2 (ii) A boating or yachting club.

3 (iii) A sports or athletic club.

4 (iv) A dining club, except a dining club that in good faith  
5 limits its membership to the members of a particular religion for  
6 the purpose of furthering the teachings or principles of that  
7 religion — and not for the purpose of excluding individuals of  
8 a particular gender, race, or color.

9 (b) "Public service" means a public facility, department,  
10 agency, board, or commission, owned, operated, or managed by or  
11 on behalf of the state, a political subdivision, or an agency  
12 thereof — or a tax exempt private agency established to provide  
13 service to the public. PUBLIC SERVICE DOES NOT INCLUDE THE  
14 OWNERSHIP, OPERATION, OR MANAGEMENT OF A LOCAL JAIL OR STATE COR-  
15 RECTIONAL FACILITY.

16 (c) "STATE CORRECTIONAL FACILITY" MEANS A FACILITY THAT  
17 HOUSES PRISONERS UNDER THE JURISDICTION OF THE DEPARTMENT OF COR-  
18 RECTIONS AND INCLUDES A COMMUNITY CORRECTIONS CENTER, A COMMUNITY  
19 RESIDENTIAL HOME, AND A YOUTH CORRECTIONAL FACILITY.

20 Sec. 303. This article ~~shall~~ DOES not apply to a LOCAL  
21 JAIL OR STATE CORRECTIONAL FACILITY. ADDITIONALLY, THIS ARTICLE  
22 DOES NOT APPLY TO A private club — or other establishment not  
23 in fact open to the public, except to the extent that the goods,  
24 services, facilities, privileges, advantages, or accommodations  
25 of the private club or establishment are made available to the  
26 customers or patrons of another establishment that is a place of  
27 public accommodation or is licensed by the state under ~~Act No. 8~~

1 of the Public Acts of the Extra Session of 1933, being sections  
2 436.1 through 436.58 of the Michigan Compiled Laws THE MICHIGAN  
3 LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO  
4 436.2303. This section ~~shall~~ DOES not apply to a private club  
5 that is otherwise defined as a place of public accommodation in  
6 this article.