

**SUBSTITUTE FOR
HOUSE BILL NO. 5040**

A bill to protect the right of a student to assert conscientious objection to providing certain counseling or other services; to prohibit certain actions by institutions of higher education; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "Julea
2 Ward freedom of conscience act".

3 Sec. 3. A public degree or certificate granting college,
4 university, junior college, or community college of this state
5 shall not discipline or discriminate against a student in a
6 counseling, social work, or psychology program because the student
7 refuses to counsel or serve a client as to goals, outcomes, or
8 behaviors that conflict with a sincerely held religious belief of

1 the student, if the student refers the client to a counselor who
2 will provide the counseling or services.

3 Sec. 5. (1) A person who alleges a violation of this act may
4 bring a civil action for appropriate injunctive relief, or actual
5 damages, or both within 90 days after the occurrence of the alleged
6 violation of this act.

7 (2) An action commenced under subsection (1) may be brought in
8 the circuit court for the county where the alleged violation
9 occurred, the county where the complainant resides, or the county
10 where the educational institution is located.

11 (3) As used in this section, "damages" means compensation for
12 injury or loss caused by each violation of this act, including
13 reasonable attorney fees.