



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 147 (Substitute S-1 as reported)
Sponsor: Senator Erika Geiss
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the Elliot-Larsen Civil Rights Act (ELCRA) to delete a provision specifying that the prohibition against an employer treating an individual affected by pregnancy, childbirth, or a related medical condition differently from another individual does not apply in the case of a nontherapeutic abortion not intended to save the life of the mother. In addition, the bill would prohibit an employer from treating differently an individual affected by the termination of a pregnancy.

The bill is tie-barred to Senate Bill 4. (Senate Bill 4, which would amend the ELCRA to prohibit discrimination based on sexual orientation or gender identity or expression, has been passed by the Senate and House and ordered enrolled.)

MCL 37.2201 & 37.2202

BRIEF RATIONALE

The passage of Proposal 22-3 codified an individual right to reproductive freedom in the Michigan Constitution, including the right to carry out all decisions about pregnancy and abortion. Some people believe that an employer should not be able to treat an individual affected by the termination of a pregnancy differently than another individual given the constitutional rights enshrined by Proposal 22-3. Accordingly, it has been suggested that the ELCRA be amended to prohibit an employer from doing so.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 3-16-23

Fiscal Analyst: Cory Savino, PhD