HOUSE BILL NO. 5448

February 14, 2024, Introduced by Reps. Farhat, Arbit, Rheingans, Hood, Dievendorf and Wilson and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act,"

by amending section 402a (MCL 37.2402a), as added by 1995 PA 88.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 402a. (1) An educational institution shall do both of the following if the educational institution lists racial or ethnic classifications in a writing that is developed or printed after September 18, 1995 and the educational institution requests...
that an individual select 1 of those classifications to designate his or her race or ethnicity:

(a) Include in the writing the term "multiracial" as a classification, and a definition of that term that substantially provides that "multiracial" means having parents of different races.

(b) Exclude from the writing the term "other" as a classification.

(2) If a federal agency requires an educational institution to transmit information obtained from an individual pursuant to a writing described in individual's selection under subsection (1), but rejects the classification "multiracial", the educational institution shall redesignate the individuals identified as multiracial by allocating those individuals to racial or ethnic classifications approved by the federal agency in the same ratio that those classifications occur within the general population of the group from which the information was solicited.

(3) If an educational institution is a public university, in addition to the requirements set forth in subsections (1) and (2), both of the following apply:

(a) If the public university lists racial or ethnic classifications in a writing that is developed or printed after the effective date of the amendatory act that added this subdivision and the public university requests that an individual select a classification to designate the individual's race or ethnicity, the public university must include in the writing the term "Middle Eastern or North African" as a classification.

(b) If a federal agency requires the public university to transmit information obtained from an individual's selection under
subdivision (a), but rejects the classification "Middle Eastern or North African", the public university must redesignate the individuals identified as Middle Eastern or North African by allocating those individuals to racial or ethnic classifications approved by the federal agency in the same ratio that those classifications occur within the general population of the group from which the information was solicited.

(4) As used in this section: "writing"

(a) "Public university" means a state institution of higher education described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

(b) "Writing" means that term as defined in section 2 of the freedom of information act, Act No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Laws 1976 PA 442, MCL 15.232.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No.____ or House Bill No. 5447 (request no. 00929'23 *) of the 102nd Legislature is enacted into law.