

SENATE BILL NO. 900

June 06, 2024, Introduced by Senators ANTHONY, SHINK, CHANG, MCMORROW, IRWIN and BAYER and referred to the Committee on Housing and Human Services.

A bill to establish the rights of tenants to organize tenant unions; to prohibit certain conduct; to provide remedies and prescribe penalties; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "tenants right to
2 organize act".

3 Sec. 3. As used in this act:

4 (a) "Common area" means a portion of a rental premises that is
5 generally accessible to all tenants. Common area includes, but is

1 not limited to, a hallway, a stairway, a laundry and recreational
2 room, a playground, a community center, a garage, or a boundary
3 fence.

4 (b) "Landlord" means that term as defined in section 1 of 1972
5 PA 348, MCL 554.601.

6 (c) "Rental agreement" means an agreement that establishes or
7 modifies the terms, conditions, rules, regulations, or any other
8 provisions concerning the use and occupancy of a rental unit.

9 (d) "Rental unit" means a structure or part of a structure
10 used as a home, residence, or sleeping unit by a single person or
11 household unit, or any grounds, or other facilities or area
12 promised for the use of a residential tenant.

13 (e) "Tenant" means an individual who occupies a rental unit
14 for residential purposes with the landlord's consent for an agreed-
15 upon consideration.

16 (f) "Tenant organizer" means a person that assists tenants in
17 organizing, forming, or operating a tenant union and is not an
18 employee or representative of the current or prospective landlord.

19 (g) "Tenant union" means a union organized or formed by
20 tenants in residential premises that gives the tenants the right to
21 do all of the following:

22 (i) Self-organize.

23 (ii) Join, meet, and assist one another.

24 (iii) Confer through representatives of the tenants' own
25 choosing with a landlord.

26 (iv) Engage in other concerted activities for the purpose of
27 mutual aid and protection or refrain from any concerted activity if
28 the tenants choose.

29 (v) Promulgate rules that govern the activities of the tenant

1 union.

2 Sec. 5. Beginning on the effective date of this act, tenants
3 have the right to organize or form a tenant union. A tenant union
4 may do all of the following:

5 (a) Distribute literature in common areas in the rental
6 premises.

7 (b) Place literature at or under tenants' doors.

8 (c) Post information on bulletin boards within the rental
9 premises.

10 (d) Assist tenants to participate in tenant organizational
11 activities.

12 (e) Convene tenants meetings at any reasonable time and in any
13 appropriate space that would reasonably be interpreted as areas
14 that the tenants have access to under the tenants' rental
15 agreements, including a common area, the tenant's unit, if the
16 tenant consent, or other available space. A tenant union may permit
17 electronic attendance of a meeting convened under this act if a
18 majority of the tenants in the tenant union consent to the
19 electronic attendance. A landlord shall not attend or make
20 audiorecordings of a meeting convened under this subdivision unless
21 permitted to do so by a majority of tenants in attendance.

22 (f) Formulate responses to the landlord's actions, including
23 rent or rent ceiling increases or requests for rent or rent ceiling
24 increases, proposed increases or decreases, or other changes in the
25 rental premises.

26 (g) Propose that the landlord modify the rental premises'
27 facilities and services.

28 (h) Engage in any other activity reasonably related to the
29 establishment or operation of a tenant union.

1 (i) Collect tenant union dues.

2 Sec. 7. (1) Tenants may engage the services of a tenant
3 organizer to form a tenant union.

4 (2) A tenant organizer may canvass on behalf of the tenants in
5 a multifamily rental premises. All of the following apply to a
6 tenant organizer's right to canvass in a multifamily rental
7 premises:

8 (a) If the multifamily rental premises has a written policy
9 that allows canvassing, a tenant organizer that is not a tenant has
10 the same privileges and rights of access as other uninvited outside
11 parties in the normal course of operations.

12 (b) If the multifamily rental premises does not have a
13 consistently enforced, written policy against canvassing, the
14 multifamily rental premises must be treated as if it has a policy
15 that allows canvassing.

16 (c) If a multifamily rental premises has a consistently
17 enforced, written policy against canvassing, a tenant shall
18 accompany the tenant organizer that is not a tenant while the
19 tenant organizer is canvassing within the multifamily rental
20 premises. The tenant organizer that is not a tenant has the same
21 privileges and rights of access as other invited outside parties in
22 the normal course of operations.

23 Sec. 9. (1) A landlord shall not do any of the following:

24 (a) Interfere with the rights of tenants or a tenant organizer
25 under this act.

26 (b) Threaten, penalize, or discriminate or retaliate against a
27 tenant that exercises the tenant's rights under this act.

28 Discriminatory or retaliatory conduct includes, but is not limited
29 to, intentionally delaying maintenance services, revoking access to

1 community amenities, or taking frivolous adverse actions against a
2 tenant.

3 (c) Interfere with or delay the investigation of a violation
4 or the enforcement of this act.

5 (2) A landlord that violates subsection (1) is subject to all
6 of the following:

7 (a) A civil fine of not more than \$ 1,000.00 for each
8 violation.

9 (b) An injunctive order.

10 (c) Reasonable attorney fees.

11 (3) The attorney general, a tenant, or a tenant organizer may
12 bring an action to enforce this act in a court of competent
13 jurisdiction in the county where the defendant resides or does
14 business.

15 Sec. 11. If any portion of this act or the application of this
16 act to any person or circumstances is found invalid by a court, the
17 invalidity must not affect the remaining portions or applications
18 of this act that can be given effect without the invalid portion or
19 application, if the remaining portions are not determined by the
20 court to be inoperative, and to this end this act is declared to be
21 severable.

22 Enacting section 1. This act does not take effect unless all
23 of the following bills of the 102nd Legislature are enacted into
24 law:

25 (a) Senate Bill No. ____ or House Bill No. ____ (request no.
26 00622'23 *).

27 (b) Senate Bill No. 901.

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29 (c) Senate Bill No. 902.

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(d) Senate Bill No. 903.