

Act No. 31
Public Acts of 2023
Approved by the Governor
May 17, 2023
Filed with the Secretary of State
May 17, 2023
EFFECTIVE DATE: Sine Die
(91st day after final adjournment of the 2023 Regular Session)

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Senator Geiss

ENROLLED SENATE BILL No. 147

AN ACT to amend 1976 PA 453, entitled “An act to define civil rights; to prohibit discriminatory practices, policies, and customs in the exercise of those rights based upon religion, race, color, national origin, age, sex, height, weight, familial status, or marital status; to preserve the confidentiality of records regarding arrest, detention, or other disposition in which a conviction does not result; to prescribe the powers and duties of the civil rights commission and the department of civil rights; to provide remedies and penalties; to provide for fees; and to repeal certain acts and parts of acts,” by amending sections 201 and 202 (MCL 37.2201 and 37.2202), section 201 as amended by 1980 PA 202 and section 202 as amended by 2023 PA 6.

The People of the State of Michigan enact:

Sec. 201. As used in this article:

- (a) “Employer” means a person that has 1 or more employees, and includes an agent of that person.
- (b) “Employment agency” means a person regularly undertaking with or without compensation to procure, refer, recruit, or place an employee for an employer or to procure, refer, recruit, or place for an employer or person the opportunity to work for an employer and includes an agent of that person.
- (c) “Labor organization” includes:
 - (i) An organization of any kind, or an agency or employee representation committee, group, association, or plan, in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.
 - (ii) A conference, general committee, joint or system board, or joint council that is subordinate to a national or international labor organization.
 - (iii) An agent of a labor organization.
- (d) “Sex” includes, but is not limited to, pregnancy, childbirth, the termination of a pregnancy, or a related medical condition.

Sec. 202. (1) An employer shall not do any of the following:

- (a) Fail or refuse to hire or recruit, discharge, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment, because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(b) Limit, segregate, or classify an employee or applicant for employment in a way that deprives or tends to deprive the employee or applicant of an employment opportunity or otherwise adversely affects the status of the employee or applicant because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(c) Segregate, classify, or otherwise discriminate against an individual on the basis of sex with respect to a term, condition, or privilege of employment, including, but not limited to, a benefit plan or system.

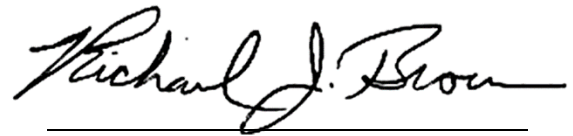
(d) Treat an individual affected by pregnancy, childbirth, the termination of a pregnancy, or a related medical condition differently for any employment-related purpose from another individual who is not so affected but similar in ability or inability to work, without regard to the source of any condition affecting the other individual's ability or inability to work.

(2) This section does not prohibit the establishment or implementation of a bona fide retirement policy or system that is not a subterfuge to evade the purposes of this section.

(3) This section does not apply to the employment of an individual by the individual's parent, spouse, or child.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor