

HOUSE BILL NO. 4777

August 20, 2025, Introduced by Rep. Paquette and referred to Committee on Government Operations.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending the title and sections 102, 103, 202, 203, 204, 205,
206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102,
37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207,
37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and
37.2506), the title as amended by 2024 PA 200, sections 102, 203,
204, 205, 206, 207, 209, 302, 302a, 402, 504, 505, and 506 as
amended by 2023 PA 6, section 103 as amended by 2023 PA 45, section

202 as amended by 2023 PA 31, and section 502 as amended by 2024 PA 180.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

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, sexual orientation, ~~gender identity or expression~~, 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.

Sec. 102. (1) The opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination because of religion, race, color, national origin, age, sex, sexual orientation, ~~gender identity or expression~~, height, weight, familial status, or marital status as prohibited by this act, is recognized and declared to be a civil right.

(2) This section does not prevent an individual from bringing or continuing an action arising out of sex discrimination before July 18, 1980 for a claim based on conduct similar to or identical to harassment.

(3) This section does not prevent an individual from bringing or continuing an action arising out of discrimination based on familial status before June 29, 1992 for a claim based on conduct similar to or identical to discrimination because of the age of

1 anyone residing with the individual bringing or continuing the
2 action.

3 Sec. 103. As used in this act:

4 (a) "Age" means chronological age except as otherwise provided
5 by law.

6 (b) "Commission" means the civil rights commission established
7 by section 29 of article V of the state constitution of 1963.

8 (c) "Commissioner" means a member of the commission.

9 (d) "Department" means the department of civil rights or its
10 employees.

11 (e) "Familial status" means 1 or more individuals under the
12 age of 18 residing with a parent or other person having custody or
13 in the process of securing legal custody of the individual or
14 individuals or residing with the designee of the parent or other
15 person having or securing custody, with the written permission of
16 the parent or other person. For purposes of this definition,
17 "parent" includes an individual who is pregnant.

18 ~~(f) "Gender identity or expression" means having or being~~
19 ~~perceived as having a gender-related self-identity or expression~~
20 ~~whether or not associated with an individual's assigned sex at~~
21 ~~birth.~~

22 (f) ~~(g)~~ "National origin" includes the national origin of an
23 ancestor.

24 (g) ~~(h)~~ "Person" means an individual, agent, association,
25 corporation, joint apprenticeship committee, joint stock company,
26 labor organization, legal representative, mutual company,
27 partnership, receiver, trust, trustee in bankruptcy, unincorporated
28 organization, this state or a political subdivision of this state
29 or an agency of this state, or any other legal or commercial

1 entity.

2 **(h)** ~~(i)~~—"Political subdivision" means a county, city, village,
3 township, school district, or special district or authority of this
4 state.

5 **(i)** ~~(j)~~—"Race" is inclusive of traits historically associated
6 with race, including, but not limited to, hair texture and
7 protective hairstyles. For purposes of this definition, "protective
8 hairstyles" includes, but is not limited to, such hairstyles as
9 braids, locks, and twists.

10 **(j)** ~~(k)~~—Discrimination because of sex includes sexual
11 harassment. Sexual harassment means unwelcome sexual advances,
12 requests for sexual favors, and other verbal or physical conduct or
13 communication of a sexual nature under the following conditions:

14 (i) Submission to the conduct or communication is made a term
15 or condition either explicitly or implicitly to obtain employment,
16 public accommodations or public services, education, or housing.

17 (ii) Submission to or rejection of the conduct or communication
18 by an individual is used as a factor in decisions affecting the
19 individual's employment, public accommodations or public services,
20 education, or housing.

21 (iii) The conduct or communication has the purpose or effect of
22 substantially interfering with an individual's employment, public
23 accommodations or public services, education, or housing, or
24 creating an intimidating, hostile, or offensive employment, public
25 accommodations, public services, educational, or housing
26 environment.

27 **(k)** ~~(l)~~—"Sexual orientation" means having an orientation for
28 heterosexuality, homosexuality, or bisexuality or having a history
29 of such an orientation or being identified with such an

1 orientation.

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

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

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

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

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

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

29 (3) This section does not apply to the employment of an

1 individual by the individual's parent, spouse, or child.

2 Sec. 203. An employment agency shall not fail or refuse to
3 procure, refer, recruit, or place for employment, or otherwise
4 discriminate against, an individual because of religion, race,
5 color, national origin, age, sex, sexual orientation, ~~gender~~
6 ~~identity or expression~~, height, weight, or marital status; or
7 classify or refer for employment an individual on the basis of
8 religion, race, color, national origin, age, sex, sexual
9 orientation, ~~gender identity or expression~~, height, weight, or
10 marital status.

11 Sec. 204. A labor organization shall not do any of the
12 following:

13 (a) Exclude or expel from membership, or otherwise
14 discriminate against, a member or applicant for membership because
15 of religion, race, color, national origin, age, sex, sexual
16 orientation, ~~gender identity or expression~~, height, weight, or
17 marital status.

18 (b) Limit, segregate, or classify membership or applicants for
19 membership, or classify or fail or refuse to refer for employment
20 an individual in a way that would deprive or tend to deprive that
21 individual of an employment opportunity, or that would limit an
22 employment opportunity, or that would adversely affect wages,
23 hours, or employment conditions, or otherwise adversely affect the
24 status of an employee or an applicant for employment, because of
25 religion, race, color, national origin, age, sex, sexual
26 orientation, ~~gender identity or expression~~, height, weight, or
27 marital status.

28 (c) Cause or attempt to cause an employer to violate this
29 article.

1 (d) Fail to fairly and adequately represent a member in a
2 grievance process because of religion, race, color, national
3 origin, age, sex, sexual orientation, ~~gender identity or~~
4 ~~expression~~, height, weight, or marital status.

5 Sec. 205. An employer, labor organization, or joint labor-
6 management committee controlling an apprenticeship, on the job, or
7 other training or retraining program, shall not discriminate
8 against an individual because of religion, race, color, national
9 origin, age, sex, sexual orientation, ~~gender identity or~~
10 ~~expression~~, height, weight, or marital status, in admission to, or
11 employment or continuation in, a program established to provide
12 apprenticeship on the job, or other training or retraining.

13 Sec. 206. (1) An employer, labor organization, or employment
14 agency shall not print, circulate, post, mail, or otherwise cause
15 to be published a statement, advertisement, notice, or sign
16 relating to employment by the employer, or relating to membership
17 in or a classification or referral for employment by the labor
18 organization, or relating to a classification or referral for
19 employment by the employment agency, that indicates a preference,
20 limitation, specification, or discrimination, based on religion,
21 race, color, national origin, age, sex, sexual orientation, ~~gender~~
22 ~~identity or expression~~, height, weight, or marital status.

23 (2) Except as permitted by rules promulgated by the commission
24 or by applicable federal law, an employer or employment agency
25 shall not do any of the following:

26 (a) Make or use a written or oral inquiry or form of
27 application that elicits or attempts to elicit information
28 concerning the religion, race, color, national origin, age, sex,
29 sexual orientation, ~~gender identity or expression~~, height, weight,

1 or marital status of a prospective employee.

2 (b) Make or keep a record of information described in
3 subdivision (a) or disclose that information.

4 (c) Make or use a written or oral inquiry or form of
5 application that expresses a preference, limitation, specification,
6 or discrimination based on religion, race, color, national origin,
7 age, sex, sexual orientation, ~~gender identity or expression,~~
8 height, weight, or marital status of a prospective employee.

9 Sec. 207. An individual seeking employment shall not publish
10 or cause to be published a notice or advertisement that specifies
11 or indicates the individual's religion, race, color, national
12 origin, age, sex, sexual orientation, ~~gender identity or~~
13 ~~expression,~~ height, weight, or marital status, or expresses a
14 preference, specification, limitation, or discrimination as to the
15 religion, race, color, national origin, age, height, weight, sex,
16 sexual orientation, ~~gender identity or expression,~~ or marital
17 status of a prospective employer.

18 Sec. 209. A contract to which this state, a political
19 subdivision, or an agency of this state or of a political
20 subdivision is a party must contain a covenant by the contractor
21 and the contractor's subcontractors not to discriminate against an
22 employee or applicant for employment with respect to hire, tenure,
23 terms, conditions, or privileges of employment, or a matter
24 directly or indirectly related to employment, because of race,
25 color, religion, national origin, age, sex, sexual orientation,
26 ~~gender identity or expression,~~ height, weight, or marital status.
27 Breach of this covenant may be regarded as a material breach of the
28 contract.

29 Sec. 302. Except where permitted by law, a person shall not do

1 any of the following:

2 (a) Deny an individual the full and equal enjoyment of the
3 goods, services, facilities, privileges, advantages, or
4 accommodations of a place of public accommodation or public service
5 because of religion, race, color, national origin, age, sex, sexual
6 orientation, ~~gender identity or expression~~, or marital status.

7 (b) Print, circulate, post, mail, or otherwise cause to be
8 published a statement, advertisement, notice, or sign that
9 indicates that the full and equal enjoyment of the goods, services,
10 facilities, privileges, advantages, or accommodations of a place of
11 public accommodation or public service will be refused, withheld
12 from, or denied an individual because of religion, race, color,
13 national origin, age, sex, sexual orientation, ~~gender identity or~~
14 ~~expression~~, or marital status, or that an individual's patronage of
15 or presence at a place of public accommodation is objectionable,
16 unwelcome, unacceptable, or undesirable because of religion, race,
17 color, national origin, age, sex, sexual orientation, ~~gender~~
18 ~~identity or expression~~, or marital status.

19 Sec. 302a. (1) This section applies to a private club that is
20 defined as a place of public accommodation under section 301(a).

21 (2) If a private club allows use of its facilities by 1 or
22 more adults per membership, the use must be equally available to
23 all adults entitled to use the facilities under the membership. All
24 classes of membership must be available without regard to race,
25 color, sex, sexual orientation, ~~gender identity or expression~~,
26 religion, marital status, or national origin. Memberships that
27 permit use during restricted times may be allowed only if the
28 restricted times apply to all adults using that membership.

29 (3) A private club that has food or beverage facilities or

1 services shall allow equal access to those facilities and services
2 for all adults in all membership categories at all times. This
3 subsection does not require service or access to facilities to
4 persons that would violate any law or ordinance regarding sale,
5 consumption, or regulation of alcoholic beverages.

6 (4) This section does not prohibit a private club from
7 sponsoring or permitting sports schools or leagues for children
8 less than 18 years of age that are limited by age or to members of
9 1 sex, if comparable and equally convenient access to the club's
10 facilities is made available to both sexes and if these activities
11 are not used as a subterfuge to evade the purposes of this article.

12 Sec. 402. An educational institution shall not do any of the
13 following:

14 (a) Discriminate against an individual in the full utilization
15 of or benefit from the institution, or the services, activities, or
16 programs provided by the institution because of religion, race,
17 color, national origin, sex, **or** sexual orientation. ~~, or gender~~
18 ~~identity or expression.~~

19 (b) Exclude, expel, limit, or otherwise discriminate against
20 an individual seeking admission as a student or an individual
21 enrolled as a student in the terms, conditions, or privileges of
22 the institution, because of religion, race, color, national origin,
23 sex, **or** sexual orientation. ~~, or gender identity or expression.~~

24 (c) For purposes of admission only, make or use a written or
25 oral inquiry or form of application that elicits or attempts to
26 elicit information concerning the religion, race, color, national
27 origin, age, sex, sexual orientation, ~~gender identity or~~
28 ~~expression,~~ or marital status of an individual, except as permitted
29 by rule of the commission or as required by federal law, rule, or

1 regulation, or pursuant to an affirmative action program.

2 (d) Print or publish or cause to be printed or published a
3 catalog, notice, or advertisement indicating a preference,
4 limitation, specification, or discrimination based on the religion,
5 race, color, national origin, sex, **or** sexual orientation ~~, or~~
6 ~~gender identity or expression,~~ of an applicant for admission to the
7 educational institution.

8 (e) Announce or follow a policy of denial or limitation
9 through a quota or otherwise of educational opportunities of a
10 group or its members because of religion, race, color, national
11 origin, sex, **or** sexual orientation. ~~, or gender identity or~~
12 ~~expression.~~

13 Sec. 502. (1) A person engaging in a real estate transaction,
14 or a real estate broker or salesperson, shall not on the basis of
15 religion, race, color, national origin, age, sex, sexual
16 orientation, ~~gender identity or expression,~~ familial status, or
17 marital status of an individual or anyone residing with that
18 individual do any of the following:

19 (a) Refuse to engage in a real estate transaction with a
20 person.

21 (b) Discriminate against a person in the terms, conditions, or
22 privileges of a real estate transaction or in the furnishing of
23 facilities or services in connection with a real estate
24 transaction.

25 (c) Refuse to receive from a person or transmit to a person a
26 bona fide offer to engage in a real estate transaction.

27 (d) Refuse to negotiate for a real estate transaction with a
28 person.

29 (e) Represent to a person that real property is not available

1 for inspection, sale, rental, or lease when in fact it is so
2 available, or knowingly fail to bring a property listing to a
3 person's attention, or refuse to permit a person to inspect real
4 property, or otherwise make unavailable or deny real property to a
5 person.

6 (f) Make, print, circulate, post, mail, or otherwise cause to
7 be made or published a statement, advertisement, notice, or sign,
8 or use a form of application for a real estate transaction, or make
9 a record of inquiry in connection with a prospective real estate
10 transaction, that indicates, directly or indirectly, an intent to
11 make a preference, limitation, specification, or discrimination
12 with respect to the real estate transaction.

13 (g) Offer, solicit, accept, use, or retain a listing of real
14 property with the understanding that a person may be discriminated
15 against in a real estate transaction or in the furnishing of
16 facilities or services in connection with that transaction.

17 (h) Discriminate against a person in the brokering or
18 appraising of real property.

19 (2) A person shall not deny a person access to, or membership
20 or participation in, a multiple listing service, real estate
21 brokers' organization or other service, organization, or facility
22 relating to the business of selling or renting real property or
23 discriminate against the person in the terms or conditions of that
24 access, membership, or participation because of religion, race,
25 color, national origin, age, sex, sexual orientation, ~~gender~~
26 ~~identity or expression~~, familial status, or marital status.

27 (3) A person that is a landlord of a rental unit shall not,
28 based on the source of income of an otherwise eligible prospective
29 or current tenant, do any of the following:

1 (a) Deny or terminate a tenancy to the prospective or current
2 tenant.

3 (b) Make any distinction, discrimination, or restriction
4 against the prospective or current tenant in the price, terms,
5 conditions, fees, or privileges relating to the rental, lease, or
6 occupancy of a rental unit or in the furnishing of any facilities
7 or services in connection with the rental, lease, or occupancy of
8 the rental unit.

9 (c) Otherwise make unavailable or deny any rental unit to the
10 prospective or current tenant if the prospective or current tenant
11 would be eligible to rent the rental unit but for the individual's
12 source of income.

13 (d) Represent to the prospective tenant that a rental unit is
14 not available for inspection, rental, or lease when in fact it is
15 so available, or knowingly fail to bring a rental listing to the
16 prospective tenant's attention, or refuse to permit the prospective
17 tenant to inspect a rental unit.

18 (e) Make any distinction, discrimination, or restriction
19 against the prospective or current tenant in the price, terms,
20 conditions, fees, or privileges relating to the rental, lease, or
21 occupancy of any rental unit on the basis of the prospective or
22 current tenant's use of emergency rental assistance.

23 (f) If the person is a landlord that requires a prospective or
24 current tenant to have a certain threshold level of income, exclude
25 any source of income in the form of a rent voucher or subsidy when
26 calculating whether the income criteria have been met. This
27 subdivision does not apply to emergency rental assistance.

28 (g) Attempt to discourage the rental or lease of any rental
29 unit to the prospective or current tenant.

1 (h) Publish, circulate, display, or cause to be published,
2 circulated, or displayed any communication, notice, advertisement,
3 or sign of any kind relating to the rental or lease of any rental
4 unit that indicates a preference, limitation, or requirement based
5 on any source of income.

6 (i) Assist, induce, incite, or coerce another person to commit
7 an act or engage in a practice that violates this subsection.

8 (j) Coerce, intimidate, threaten, or interfere with any person
9 in the exercise or enjoyment of, or on account of the person having
10 exercised or enjoyed or having aided or encouraged any other person
11 in the exercise or enjoyment of, any right granted or protected
12 under this subsection.

13 (4) Subsection (3) does not apply to a person if the person,
14 including all related entities to that person, is a landlord of
15 fewer than 5 rental units in this state. As used in this
16 subsection:

17 (a) "Person" means an individual, partnership, corporation,
18 association, limited liability company, or any other legal entity.

19 (b) "Related entity" means a person that, directly or
20 indirectly, controls, is controlled by, or is under common control
21 with another person.

22 (5) This section is subject to section 503.

23 (6) As used in this section, "landlord", "tenant", and "rental
24 unit" mean those terms as defined in section 1 of 1972 PA 348, MCL
25 554.601.

26 Sec. 504. (1) A person to whom application is made for
27 financial assistance or financing in connection with a real estate
28 transaction or in connection with the construction, rehabilitation,
29 repair, maintenance, or improvement of real property, or a

1 representative of that person, shall not do any of the following:

2 (a) Discriminate against the applicant because of the
3 religion, race, color, national origin, age, sex, sexual
4 orientation, ~~gender identity or expression~~, familial status, or
5 marital status of the applicant or an individual residing with the
6 applicant.

7 (b) Use a form of application for financial assistance or
8 financing or make or keep a record or inquiry in connection with an
9 application for financial assistance or financing that indicates,
10 directly or indirectly, a preference, limitation, specification, or
11 discrimination as to the religion, race, color, national origin,
12 age, sex, sexual orientation, ~~gender identity or expression~~,
13 familial status, or marital status of the applicant or an
14 individual residing with the applicant.

15 (2) A person whose business includes engaging in real estate
16 transactions shall not discriminate against a person because of
17 religion, race, color, national origin, age, sex, sexual
18 orientation, ~~gender identity or expression~~, familial status, or
19 marital status, in purchasing loans for acquiring, constructing,
20 improving, repairing, or maintaining a dwelling or in making or
21 purchasing loans or providing other financial assistance secured by
22 residential real estate.

23 (3) Subsection (1)(b) does not apply to a form of application
24 for financial assistance prescribed for the use of a lender
25 regulated as a mortgagee under the national housing act, 12 USC
26 1701 to 1750g, or by a regulatory board or officer acting under the
27 statutory authority of this state or the United States.

28 Sec. 505. (1) A condition, restriction, or prohibition,
29 including a right of entry or possibility of reverter, that

1 directly or indirectly limits the use or occupancy of real property
2 on the basis of religion, race, color, national origin, age, sex,
3 sexual orientation, ~~gender identity or expression~~, familial status,
4 or marital status is void, except a limitation of use as provided
5 in section 503(1)(c) or on the basis of religion relating to real
6 property held by a religious institution or organization, or by a
7 religious or charitable organization operated, supervised, or
8 controlled by a religious institution or organization, and used for
9 religious or charitable purposes.

10 (2) A person shall not insert in a written instrument relating
11 to real property a provision that is void under this section or
12 honor such a provision in the chain of title.

13 Sec. 506. A person shall not represent, for the purpose of
14 inducing a real estate transaction from which the person may
15 benefit financially, that a change has occurred or will or may
16 occur in the composition with respect to religion, race, color,
17 national origin, age, sex, sexual orientation, ~~gender identity or~~
18 ~~expression~~, familial status, or marital status of the owners or
19 occupants in the block, neighborhood, or area in which the real
20 property is located, or represent that this change will or may
21 result in the lowering of property values, an increase in criminal
22 or antisocial behavior, or a decline in the quality of schools in
23 the block, neighborhood, or area in which the real property is
24 located.