

HOUSE BILL No. 4026

January 28, 2003, Introduced by Rep. Bisbee and referred to the Committee on Judiciary.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 103 (MCL 37.2103), as amended by 1999 PA
202.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 103. As used in this act:

2 (a) "Age" means chronological age except as otherwise
3 provided by law.

4 (b) **"Cohabiting" means living together as husband and wife**
5 **without being lawfully married.**

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

9 (d) ~~-(e)-~~ "Commissioner" means a member of the commission.

10 (e) ~~-(d)-~~ "Department" means the department of civil rights

1 or its employees.

2 **(f)** ~~-(e)-~~ "Familial status" means 1 or more individuals under
3 the age of 18 residing with a parent or other person having
4 custody or in the process of securing legal custody of the
5 individual or individuals or residing with the designee of the
6 parent or other person having or securing custody, with the
7 written permission of the parent or other person. For purposes
8 of this definition, "parent" includes a person who is pregnant.

9 **(g) "Marital status" means either of the following:**

10 **(i) Being lawfully married.**

11 **(ii) Being unmarried and not cohabiting with another person.**

12 **(h)** ~~-(f)-~~ "National origin" includes the national origin of
13 an ancestor.

14 **(i)** ~~-(g)-~~ "Person" means an individual, agent, association,
15 corporation, joint apprenticeship committee, joint stock company,
16 labor organization, legal representative, mutual company,
17 partnership, receiver, trust, trustee in bankruptcy,
18 unincorporated organization, the state or a political subdivision
19 of the state or an agency of the state, or any other legal or
20 commercial entity.

21 **(j)** ~~-(h)-~~ "Political subdivision" means a county, city,
22 village, township, school district, or special district or
23 authority of the state.

24 **(k)** ~~-(i)-~~ Discrimination because of sex includes sexual
25 harassment. Sexual harassment means unwelcome sexual advances,
26 requests for sexual favors, and other verbal or physical conduct
27 or communication of a sexual nature under the following

1 conditions:

2 (i) Submission to the conduct or communication is made a term
3 or condition either explicitly or implicitly to obtain
4 employment, public accommodations or public services, education,
5 or housing.

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

10 (iii) The conduct or communication has the purpose or effect
11 of substantially interfering with an individual's employment,
12 public accommodations or public services, education, or housing,
13 or creating an intimidating, hostile, or offensive employment,
14 public accommodations, public services, educational, or housing
15 environment.