

HOUSE BILL No. 5040

October 5, 2011, Introduced by Reps. Haveman, Rogers, Kowall, Daley, Pscholka, Heise, Shirkey, Hooker, Kurtz, Bumstead, Jenkins, Shaughnessy, Poleski, O'Brien, Knollenberg, MacMaster, Gilbert, Genetski, Franz, McMillin, Walsh, MacGregor, Huuki, Rendon, Lyons, Price, Johnson, Damrow, Foster, Olumba, Roy Schmidt, Yonker, Opsommer and Olson and referred to the Committee on Education.

A bill to protect the right of a student to assert conscientious objection to providing certain counseling or other services; to prohibit certain actions by institutions of higher education; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "Julea
2 Ward freedom of conscience act".

3 Sec. 3. A public or private degree or certificate granting
4 college, university, junior college, or community college of this
5 state shall not discipline or discriminate against a student in a
6 counseling, social work, or psychology program because the student
7 refuses to counsel or serve a client as to goals that conflict with
8 a sincerely held religious belief or moral conviction of the
9 student, if the student refers the client to a counselor who will

1 provide the counseling or services.

2 Sec. 5. (1) A person who alleges a violation of this act may
3 bring a civil action for appropriate injunctive relief, or actual
4 damages, or both within 90 days after the occurrence of the alleged
5 violation of this act.

6 (2) An action commenced under subsection (1) may be brought in
7 the circuit court for the county where the alleged violation
8 occurred, the county where the complainant resides, or the county
9 where the educational institution is located.

10 (3) As used in this section, "damages" means compensation for
11 injury or loss caused by each violation of this act, including
12 reasonable attorney fees.