

HOUSE BILL NO. 4058

January 17, 2019, Introduced by Rep. Marino and referred to the Committee on Judiciary.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 205a (MCL 37.2205a), as amended by 1999 PA 202.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 205a. (1) An employer, employment agency, or labor
2 organization, other than a law enforcement agency of this state or
3 a political subdivision of this state, shall not, in connection
4 with an application for employment or membership ~~or~~ in connection



BJH



H01114'19

1 with the terms, conditions, or privileges of employment or
2 membership, request, make, or maintain a record of information
3 regarding a misdemeanor **or felony** arrest ~~, or~~ detention, or **the**
4 disposition **of a misdemeanor**, ~~where if~~ a conviction did not result.

5 A person is not guilty of perjury or ~~otherwise~~ for **otherwise** giving
6 a false statement by failing to recite or acknowledge information
7 the person has a civil right to withhold ~~by~~ **under** this section.

8 ~~This section does not apply to information relative to a felony~~
9 ~~charge before conviction or dismissal.~~

10 (2) As used in this section, "law enforcement agency" includes
11 the state department of corrections.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.

