

HOUSE BILL NO. 5448

February 14, 2024, Introduced by Reps. Farhat, Arbit, Rheingans, Hood, Dievendorf and Wilson and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 402a (MCL 37.2402a), as added by 1995 PA 88.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 402a. (1) An educational institution shall do both of the
2 following if ~~that~~ **the** educational institution lists racial or
3 ethnic classifications in a writing **that is** developed or printed ~~90~~
4 ~~or more days after the effective date of this section, and if that~~
5 **after September 18, 1995 and the** educational institution requests

1 that an individual select 1 of those classifications to designate
2 ~~his or her~~ **the individual's** race or ethnicity:

3 (a) Include in the writing the term "multiracial" as a
4 classification, and a definition of that term that substantially
5 provides that "multiracial" means having parents of different
6 races.

7 (b) Exclude from the writing the term "other" as a
8 classification.

9 (2) If a federal agency requires an educational institution to
10 transmit information obtained from an ~~individual pursuant to a~~
11 ~~writing described in~~ **individual's selection under** subsection (1),
12 but rejects the classification "multiracial", the educational
13 institution ~~shall~~ **must** redesignate the individuals identified as
14 multiracial by allocating those individuals to racial or ethnic
15 classifications approved by the federal agency in the same ratio
16 that those classifications occur within the general population of
17 the group from which the information was solicited.

18 (3) **If an educational institution is a public university, in**
19 **addition to the requirements set forth in subsections (1) and (2),**
20 **both of the following apply:**

21 (a) **If the public university lists racial or ethnic**
22 **classifications in a writing that is developed or printed after the**
23 **effective date of the amendatory act that added this subdivision**
24 **and the public university requests that an individual select a**
25 **classification to designate the individual's race or ethnicity, the**
26 **public university must include in the writing the term "Middle**
27 **Eastern or North African" as a classification.**

28 (b) **If a federal agency requires the public university to**
29 **transmit information obtained from an individual's selection under**

1 subdivision (a), but rejects the classification "Middle Eastern or
2 North African", the public university must redesignate the
3 individuals identified as Middle Eastern or North African by
4 allocating those individuals to racial or ethnic classifications
5 approved by the federal agency in the same ratio that those
6 classifications occur within the general population of the group
7 from which the information was solicited.

8 (4) ~~(3)~~ As used in this section: ~~,"writing"~~

9 (a) "Public university" means a state institution of higher
10 education described in section 4, 5, or 6 of article VIII of the
11 state constitution of 1963.

12 (b) "Writing" means that term as defined in section 2 of the
13 freedom of information act, ~~Act No. 442 of the Public Acts of 1976,~~
14 ~~being section 15.232 of the Michigan Compiled Laws.1976 PA 442, MCL~~
15 ~~15.232.~~

16 Enacting section 1. This amendatory act does not take effect
17 unless Senate Bill No. ____ or House Bill No. 5447 (request no.
18 00929'23 *) of the 102nd Legislature is enacted into law.