



STATE OF MICHIGAN  
 JOCELYN BENSON, SECRETARY OF STATE  
 DEPARTMENT OF STATE  
 LANSING

January 7, 2020

**DEADLINE ESTABLISHED FOR PUBLIC COMMENTS  
 REGARDING PETITION SUMMARY**

**STATEWIDE BALLOT PROPOSAL SPONSORED BY  
 FAIR AND EQUAL MICHIGAN**

Under Michigan election law, the sponsor of an initiative, referendum, or constitutional amendment petition may request approval of the summary of the purpose of the petition prior to placing the petition in circulation. MCL 168.482b(1), as amended by 2018 PA 608. If a petition sponsor avails itself of this optional process, a summary of the proposal’s purpose must be prepared by the Director of Elections and presented to the Board of State Canvassers (Board) for its approval or rejection. MCL 168.482b(2), as amended by 2018 PA 608. The deadline for the Board to approve or reject the content of the petition summary is the 30<sup>th</sup> day following the petition sponsor’s submission. MCL 168.482b(1).

If the Board approves the petition summary as prepared by the Director of Elections, the sponsor must print the full text of the approved summary in 12-point type in the heading of the petition and the Board will be barred from considering a subsequent challenge alleging that the summary is misleading or deceptive. MCL 168.482(3), 168.482b(1), (3). Further, if the Board subsequently certifies that the petition contains a sufficient number of valid signatures to qualify for placement on the ballot, the Director of Elections and Board are authorized to draft and approve ballot wording that differs from the petition summary. Opinion of the Attorney General No. 7310 (May 22, 2019).

The “summary of the purpose of the proposed amendment or question” prepared by the Director of Elections may be up to 100 words in length and must consist of a true and impartial statement in language that does not create prejudice for or against the proposal. MCL 168.482b(2), as enacted by 2018 PA 608. Additionally, the summary must inform signers of the subject matter of the petition but need not be legally precise, and shall use words having a common, everyday meaning to the general public. *Id.*

Today, **Fair and Equal Michigan** submitted a request for approval of the content of the petition summary. A copy of the full text of the proposed initiated law is attached to this announcement. **The Director of Elections is inviting public comments regarding the summary of the purpose of this proposed initiative petition, including submissions of suggested language, as follows:**

<i>Deadline for submission of suggested petition summary and/or explanatory materials to staff:</i>	January 14, 2020, 5:00 p.m.
<i>Date of Board of State Canvassers meeting at which summaries will be considered:</i>	To be announced.
<i>Deadline for Board of State Canvassers to approve or reject the summary of the content of the petitions:</i>	February 6, 2020.

Submissions may be made via email ([elections@michigan.gov](mailto:elections@michigan.gov)), U.S. Mail (P.O. Box 20126, Lansing, Michigan 48901), or hand delivery (address provided below). **Submissions must be received in this office by the date and time specified in order to be considered.**

If the petition circulator does not comply with all of the requirements of the Michigan election law for petition circulators, any signature obtained by that petition circulator on that petition is invalid and will not be counted.

## INITIATION OF LEGISLATION

An initiation of legislation to amend the Elliott-Larsen Civil Rights Act. The initiated law would extend the Act's prohibitions on discriminatory practices, policies, and customs in the exercise of civil rights to prohibit discrimination based upon (1) sexual orientation, or gender identity or expression, or (2) the religious beliefs of an individual, by defining "sex" to include gender, sexual orientation, and gender identity or expression, and "religion" as including the religious beliefs of an individual.

For the full text of the proposed initiation of legislation to amend section 103 of the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2103, as amended by 1999 PA 202, see the reverse side of this petition.

We, the undersigned qualified and registered electors, residents in the county of \_\_\_\_\_, state of Michigan, respectively petition for initiation of legislation.

**WARNING – A person who knowingly signs this petition more than once, signs a name other than his or her own, signs when not a qualified and registered elector, or sets opposite his or her signature on a petition, a date other than the actual date the signature was affixed, is violating the provisions of the Michigan election law.**

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	CITY OR TOWNSHIP	ZIP CODE	DATE OF SIGNING		
					MO	DAY	YEAR
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

### CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the city or township indicated preceding the signature, and the elector was qualified to sign the petition.

If the circulator is not a resident of Michigan, the circulator shall make a cross or check mark in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

**WARNING – A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as circulator is guilty of a misdemeanor.**

### CIRCULATOR – Do not sign or date certificate until after circulating petition.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(Signature of Circulator) (Date)

\_\_\_\_\_  
(Printed Name of Circulator)

\_\_\_\_\_  
Complete Residence Address (Street and Number or Rural Route) [Do Not Enter a Post Office Box]

\_\_\_\_\_  
(City or Township, State, Zip Code)

\_\_\_\_\_  
(County of Registration, If Registered to Vote, of a Circulator who is not a Resident of Michigan)



# INITIATION OF LEGISLATION

Full text of the proposal (language that would be added shown in capital letters, deleted struck out with a line):

An initiation of legislation 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:

Sec. 103. As used in this act:

- (a) "Age" means chronological age except as otherwise provided by law.
- (b) "Commission" means the civil rights commission established by section 29 of article V of the state constitution of 1963.
- (c) "Commissioner" means a member of the commission.
- (d) "Department" means the department of civil rights or its employees.
- (e) "Familial status" means 1 or more individuals under the age of 18 residing with a parent or other person having custody or in the process of securing legal custody of the individual or individuals or residing with the designee of the parent or other person having or securing custody, with the written permission of the parent or other person. For purposes of this definition, "parent" includes a person who is pregnant.
- (f) "National origin" includes the national origin of an ancestor.
- (g) "Person" means an individual, agent, association, corporation, joint apprenticeship committee, joint stock company, labor organization, legal representative, mutual company, partnership, receiver, trust, trustee in bankruptcy, unincorporated organization, the state or a political subdivision of the state or an agency of the state, or any other legal or commercial entity.
- (h) "Political subdivision" means a county, city, village, township, school district, or special district or authority of the state.
- (I) "SEX" INCLUDES GENDER, SEXUAL ORIENTATION, AND GENDER IDENTITY OR EXPRESSION.
- (J) ~~(i)~~ Discrimination because of sex includes sexual harassment. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature under the following conditions:
  - (i) Submission to the conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.
  - (ii) Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodations or public services, education, or housing.
  - (iii) The conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment.
- (K) "RELIGION" INCLUDES THE RELIGIOUS BELIEFS OF AN INDIVIDUAL.