

1 SB499
2 119338-1
3 By Senators Beason, Sanford and Holtzclaw
4 RFD: Judiciary
5 First Read: 24-MAY-11

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8 SYNOPSIS: This bill would prohibit the state from
9 discriminating against, or granting preferential
10 treatment to, any individual or group on the basis
11 of race, sex, color, ethnicity, or national origin
12 in the operation of public employment, public
13 education, or public contracting and would provide
14 that actions in violation of the prohibition would
15 be void.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To prohibit the state from discriminating against,
22 or granting preferential treatment to, any individual or group
23 on the basis of race, sex, color, ethnicity, or national
24 origin in the operation of public employment, public
25 education, or public contracting and provide that actions in
26 violation of the prohibition would be void.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) The State of Alabama and any agency,
2 department, commission, or political subdivision thereof, any
3 public institution of higher education, and any government
4 institution or instrumentality within the state shall not
5 discriminate against, or grant preferential treatment to, any
6 individual or group on the basis of race, sex, color,
7 ethnicity, or national origin in the operation of public
8 employment, public education, or public contracting.

9 (b) Nothing in this section prohibits bona fide
10 qualifications based on sex that are reasonably necessary to
11 the normal operation of public employment, public education,
12 or public contracting.

13 (c) Nothing in this section prohibits action that
14 must be taken to establish or maintain eligibility for any
15 federal program, if ineligibility would result in a loss of
16 federal funds to the state.

17 (d) Any action taken in violation of this section
18 shall be void ab initio.

19 Section 2. The provisions of this act are severable.
20 If any part of this act is declared invalid or
21 unconstitutional, that declaration shall not affect the part
22 which remains.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.