

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.

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17 A BILL

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TO BE ENTITLED

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AN ACT

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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.

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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

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

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