

Amendment: 9

Representative BALLENTINE proposes the following amendment:

SECTION 117 – GENERAL PROVISIONS

New

117.de. (GP: Prohibition on the Use of State Funds for Diversity, Equity, and Inclusion Programs) (A) Except as required by state and federal law, any state agency or quasi-state agency, including institutions of higher education, school districts, charter schools, and all political subdivisions shall not use state funds to establish or support any office, unit or division within that agency that is established or exists in whole or in part, for the promotion of diversity, equity, and inclusion.

(B) Except as required by state and federal law, any state agency or quasi-state agency, including institutions of higher education, school districts, charter schools, and all political subdivisions shall not use state funds to compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

(C) Any state agency or quasi-state agency, including institutions of higher education, school districts, charter schools, and all political subdivisions shall not use state funds to give preference on the basis of race, sex, color, ethnicity, gender, or sexual orientation to an applicant for employment.

(D) Any state agency or quasi-state agency, including institutions of higher education, school districts, charter schools, and all political subdivisions shall not use state funds to support or require as a condition of enrolling at an institution or performing any institution function any person to participate in diversity, equity, and inclusion training.

(E) Nothing in this provision may be construed to limit or prohibit an institution of higher education or an employee of an institution of higher education from, for purposes of applying for a grant or complying with the terms of accreditation by an accrediting agency, submitting to the grantor or accrediting agency a statement that:

(1) highlights the institution's work in supporting:

(a) first generation college students;

(b) low income students;

(c) underserved student populations; or

(2) certifies compliance with state and federal antidiscrimination laws.

(F) These provisions may not be construed to apply to:

(1) academic course instruction;

(2) scholarly research or a creative work by an institution of higher education's students, faculty, or other research personnel or the dissemination of that research or work;

(3) an activity of a student organization registered with or recognized by an institution of higher education;

(4) guest speakers or performers on short term engagements;

(5) a policy, practice, or procedure to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, ethnicity, gender, or sexual orientation; or

(6) data collection.

(G) This provision does not prevent state or local governments or federally funded state and local educational agencies or institutions of higher education from engaging in First Amendment-protected speech.

(H) For purposes of this provision, "quasi-state agency" means an entity that is a legally separate organization over which the State has no direct control but for which the State is accountable for purposes of financial reporting.