

1 HB332  
2 183009-1  
3 By Representatives Coleman, Todd, Warren, Forte, Boyd, Clarke,  
4 Lawrence, McClammy, Alexander, Black, Moore (M), Jackson,  
5 Buskey, Scott and Givan  
6 RFD: Judiciary  
7 First Read: 28-FEB-17

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8 SYNOPSIS: This bill would prohibit discrimination  
9 against a certain state employee or a prospective  
10 state employee on the basis of his or her race,  
11 color, religion, national origin, ethnicity, sex,  
12 sexual orientation, gender identity or expression,  
13 disability, or age.

14 This bill would also provide that a  
15 violation of this act does not authorize a state  
16 employee or prospective state employee to pursue a  
17 private cause of action against the state or any  
18 state employee.

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20 A BILL  
21 TO BE ENTITLED  
22 AN ACT

23  
24 Relating to employment discrimination; to prohibit  
25 discrimination against a certain state employee or a  
26 prospective state employee on the basis of his or her race,  
27 color, religion, national origin, ethnicity, sex, sexual

1 orientation, gender identity or expression, disability, or  
2 age; and to provide that a violation of this act does not  
3 authorize a state employee or prospective state employee to  
4 pursue a private cause of action against the state or any  
5 state employee.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The Legislature acknowledges that Alabama  
8 is a diverse state with people of many different faiths,  
9 races, ages, interests, and passions. The beliefs of the  
10 state's citizens are strong and sincerely held, and the  
11 Legislature celebrates those beliefs, in particular the very  
12 deeply felt religious convictions of many of our people. The  
13 state and its residents are also a kind people, with a deep  
14 sense of fairness and justice. It is this sense of justice  
15 that requires the acknowledgement that, while there are many  
16 beliefs and practices that we may, as individuals, disagree  
17 with, it is nevertheless improper to use those beliefs as  
18 grounds for discriminating against others in public employment  
19 when our differences are unrelated to employment or a person's  
20 ability to perform job-related tasks and duties.

21 Section 2. (a) It is an unlawful employment practice  
22 to discriminate in the hiring, promotion, discipline, or  
23 termination of any state employee or prospective state  
24 employee on the basis of his or her race, color, religion,  
25 national origin, ethnicity, sex, sexual orientation, gender  
26 identity or expression, disability, or age.

1                   (b) A state employee or prospective state employee  
2 who has been discriminated against in violation of this  
3 section shall have the right to file a complaint with the  
4 State Personnel Department. The State Personnel Department may  
5 adopt rules in accordance with the Administrative Procedure  
6 Act to implement this section.

7                   (c) Nothing in this section shall be construed to  
8 authorize a state employee or a prospective state employee to  
9 pursue a private cause of action or to subject the state or  
10 any state employee to any civil damages, penalties, or other  
11 liability due to a violation of this section.

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