

HB7 INTRODUCED



1 6Y8R1Z-1
2 By Representatives Oliver, Stadthagen, Marques, Brown C.,
3 Robertson C., Fidler, Kiel, Lipscomb, Garrett, Hulsey,
4 Wadsworth, Underwood, Woods, Colvin, Kitchens, Yarbrough,
5 Lomax, Cole, Stringer, Wood D., Hurst, DuBose
6 RFD: State Government
7 First Read: 07-Mar-23
8 PFD: 20-Jan-23



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SYNOPSIS:

This bill would prohibit certain public entities, including state agencies, local boards of education, and public institutions of higher education, from promoting or endorsing, or requiring affirmation of, certain divisive concepts relating to race, sex, or religion.

This bill would prohibit certain public entities from conditioning enrollment or attendance in certain classes or trainings on the basis of race or color.

This bill would also authorize certain public entities to discipline or terminate employees or contractors who violate this act.

A BILL
TO BE ENTITLED
AN ACT

Relating to education; to provide prohibitions on the promotion, endorsement, and affirmation of certain divisive concepts in certain public settings; and to authorize certain penalties for violation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the purposes of this act, the following



29 terms have the following meanings:

30 (1) CONTRACTOR. Any individual or entity that has
31 entered into a public contract pursuant to Title 39 or Title
32 41, Code of Alabama 1975.

33 (2) DIVISIVE CONCEPTS. Any of the following concepts:

34 a. That any race, color, religion, sex, ethnicity, or
35 national origin is inherently superior or inferior.

36 b. That individuals should be discriminated against or
37 adversely treated solely because of their race, color,
38 religion, sex, ethnicity, or national origin.

39 c. That the individual moral character of an individual
40 is solely determined by his or her race, color, religion, sex,
41 ethnicity, or national origin.

42 d. That solely by virtue of an individual's race,
43 color, religion, sex, ethnicity, or national origin, the
44 individual is inherently racist, sexist, or oppressive,
45 whether consciously or subconsciously.

46 e. That individuals, by virtue of race, color,
47 religion, sex, ethnicity, or national origin, are inherently
48 responsible for actions committed in the past by other members
49 of the same race, color, religion, sex, ethnicity, or national
50 origin.

51 f. That fault, blame, or bias should be assigned to a
52 race, color, religion, sex, ethnicity, or national origin, or
53 to members of a race, color, religion, sex, ethnicity, or
54 national origin, solely on the basis of race, color, religion,
55 sex, ethnicity, or national origin.

56 g. That any individual should be asked to accept,



57 acknowledge, affirm, or assent to a sense of guilt,
58 complicity, or a need to apologize solely on the basis of his
59 or her race, color, religion, sex, ethnicity, or national
60 origin.

61 (3) PUBLIC INSTITUTION OF HIGHER EDUCATION. As defined
62 under Section 16-5-1, Code of Alabama 1975. This term also
63 includes all constitutionally created boards of trustees.

64 (4) STUDENT. Any individual enrolled in a public K-12
65 school or public institution of higher education.

66 Section 2. A state agency, local board of education, or
67 public institution of higher education may not do any of the
68 following:

69 (1) Direct or compel a student, employee, or contractor
70 to personally affirm, adopt, or adhere to a divisive concept.

71 (2) Require its students, employees, or contractors to
72 do any of the following:

73 a. Attend or participate in any training, orientation,
74 or course work that advocates, acts upon, or promotes divisive
75 concepts.

76 b. Share his or her personal point of view on any
77 divisive concept.

78 c. Participate, as part of any course work or for any
79 class credit or professional training, in an activity that
80 involves lobbying for legislation at the federal, state, or
81 local level.

82 (3) Penalize or discriminate against a student,
83 employee, or contractor on the basis of his or her refusal to
84 support, believe, endorse, embrace, confess, act upon, or



85 otherwise assent to a divisive concept.

86 (4) Condition enrollment or attendance in a class,
87 training, or orientation solely on the basis of race or color.

88 (5) Authorize or expend funding, or apply for or accept
89 a grant, federal funding, or private funding, for the purpose
90 of compelling assent to any divisive concept or any other
91 purpose prohibited in this act.

92 Section 3. All state agencies and political
93 subdivisions, including local boards of education and public
94 institutions of higher education, may discipline or terminate
95 the employment of any employee or contractor who knowingly
96 violates this act, provided that:

97 (1) Any disciplinary action or termination of an
98 employee of a public institution of higher education shall
99 remain subject to relevant policies established by the
100 institution.

101 (2) Termination of an employee or contractor of a local
102 board of education remains subject to the appeal of the
103 termination to the local board of education or State Board of
104 Education if applicable, or, if applicable, the Teacher
105 Accountability Act, Chapter 24B of Title 16, Code of Alabama
106 1975, and the Students First Act, Chapter 24C of Title 16,
107 Code of Alabama 1975.

108 Section 4. Nothing in this act:

109 (1) Prevents an employee or a contractor of a state
110 agency, local board of education, or public institution of
111 higher education who provides mandatory orientation, course
112 work, or training from responding to questions that are raised



113 by participants in the orientation, course work, or training
114 and that pertain to divisive concepts.

115 (2)a. Prohibits a public institution of higher
116 education from providing any instruction in furtherance of
117 satisfying any accreditation standard.

118 b. Prohibits a public institution of higher education
119 from authorizing the teaching or discussion of any divisive
120 concept in an objective manner and without endorsement as part
121 of a larger course of academic instruction, provided the
122 institution and its employees do not compel assent to any
123 divisive concept and otherwise act pursuant to the provisions
124 of this act.

125 c. Prohibits the required collection or reporting of
126 demographic data by public institutions of higher education.

127 (3) Prohibits the teaching of topics or historical
128 events in a historically accurate context.

129 (4) Prevents state agencies from promoting racial,
130 cultural, or ethnic diversity or inclusiveness, provided these
131 efforts are consistent with the requirements of this act.

132 (5) May be construed to inhibit or violate the First
133 Amendment rights of any student or employee, or to undermine
134 the duty of a public institution of higher education to
135 protect, to the greatest degree, academic freedom,
136 intellectual diversity, and free expression.

137 Section 5. This act shall become effective on the first
138 day of the third month following its passage and approval by
139 the Governor, or its otherwise becoming law.