



2009 SENATE JOINT RESOLUTION 71

April 16, 2010 - Introduced by Senators GROTHMAN and DARLING, cosponsored by Representatives TAUCHEN, NASS, VOS, LEMAHIEU and PRIDEMORE. Referred to Committee on Ethics Reform and Government Operations.

1 **To create** section 27 of article I of the constitution; **relating to:** prohibiting the state
2 and local governments from discriminating against, or granting preferential
3 treatment to, an individual or group on the basis of race, sex, color, ancestry, or
4 national origin in the operation of public employment, public education, or
5 public contracting (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, prohibits the state and local governments from discriminating against, or granting preferential treatment to, an individual or group on the basis of race, sex, color, ancestry, or national origin in the operation of public employment, public education, or public contracting.

The amendment does not prohibit a bona fide qualification based on sex that is reasonably necessary to the normal operation of public employment, public education, or public contracting. It does not prohibit action that must be taken to establish or maintain eligibility for a federal program, if ineligibility would result in the loss of federal funds to the state.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

6 **Resolved by the senate, the assembly concurring, That:**

