

By Senator Jones

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Senate Joint Resolution No. ____

A joint resolution proposing the creation of Section 26 of Article I of the State Constitution relating to prohibiting discrimination in public employment, public education, and public contracting.

Be It Resolved by the Legislature of the State of Florida:

That the creation of Section 26 of Article I of the State Constitution set forth below is agreed to and shall be submitted to the electors of this State for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 26. Prohibition on discrimination by state and other public or governmental entities in public employment, public education, or public contracting.--

(a) The state, or any municipality, county, district, public college or university, or other political subdivision or governmental instrumentality of or within the state, shall not discriminate in public employment, public education, or public contracting against any person on the basis of sex, race, ethnicity, color, or national origin. It shall not constitute discrimination for the state, or any municipality, county, district, public college or university, or other political subdivision or governmental instrumentality of or within the state, to take affirmative action to promote equal

1 opportunity to the extent permissible under the United States
2 Constitution as long as it does not employ a numerical quota.

3 (b) This section does not invalidate any court order
4 or consent decree that is in force as of the effective date of
5 this section, nor does it prohibit action taken to establish
6 or maintain eligibility for any federal program.

7 BE IT FURTHER RESOLVED that the following statement be
8 placed on the ballot:

9 CONSTITUTIONAL AMENDMENT

10 ARTICLE I, SECTION 26

11 FLORIDA PUBLIC SECTOR EQUAL OPPORTUNITY

12 INITIATIVE.--Proposing an amendment to the State Constitution
13 to prohibit the state and other public or governmental
14 entities therein from discriminating against any person on the
15 basis of sex, race, ethnicity, color, or national origin in
16 public employment, public education, or public contracting; to
17 allow affirmative action to the extent permitted by the United
18 States Constitution, but prohibit numerical quotas; and to
19 exempt certain court orders, consent decrees, and
20 federal-program requirements.

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