

1 HB312
2 217223-3
3 By Representatives Oliver, Crawford, Lipscomb, Stringer,
4 Stadthagen, Sorrell, Wadsworth, Smith, Sullivan, Treadaway,
5 Kiel, Moore (P), Farley, Robertson, Wood (D), Shaver, Robbins,
6 Easterbrook, Shedd, Brown (K), Lovvorn, Ledbetter, Marques,
7 Brown (C), Sorrells, Mooney, Fincher, Holmes, Wingo, Dismukes,
8 Clouse, Reynolds, Drake, Carns, Greer, McCutcheon, Garrett and
9 Standridge
10 RFD: State Government
11 First Read: 08-FEB-22

1 a. That one race, sex, or religion is inherently
2 superior to another race, sex, or religion.

3 b. That this state or the United States is
4 inherently racist or sexist.

5 c. That an individual, solely by virtue of his or
6 her race or sex, is inherently racist, sexist, or oppressive,
7 whether consciously or unconsciously.

8 d. That an individual should be discriminated
9 against or receive adverse treatment solely on the basis of
10 his or her race.

11 e. That members of one race should attempt to treat
12 others differently solely on the basis of race.

13 f. That an individual's moral character is
14 determined solely on the basis of his or her race, sex, or
15 religion.

16 g. That an individual, solely by virtue of his or
17 her race, sex, or religion, bears responsibility for actions
18 committed in the past by other members of the same race, sex,
19 or religion.

20 h. That fault, blame, or bias should be assigned to
21 a race, sex, or religion, or to members of a race, sex, or
22 religion, solely on the basis of their race, sex, or religion.

23 i. That any individual should be asked to accept,
24 acknowledge, affirm, or assent to a sense of guilt,
25 complicity, or a need to work harder solely on the basis of
26 his or her race or sex.

1 ~~j. That meritocracy or traits such as a hard work~~
2 ~~ethic are racist or sexist.~~

3 ~~k. That with respect to American values, slavery and~~
4 ~~racism are anything other than deviations from, betrayals of,~~
5 ~~or failures to live up to the founding principles of the~~
6 ~~United States, which include liberty and equality.~~

7 (3) STATE. Includes agencies and political
8 subdivisions of the State of Alabama, including school
9 districts and public K-12 schools and institutions of higher
10 education.

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

13 Section 2. (a) No state agency nor any public K-12
14 school may teach, instruct, or train any employee, contractor,
15 staff member, teacher, student, or any other individual or
16 group of individuals to adopt or believe a divisive concept. A
17 public institution of higher education or employee of a public
18 institution of higher education may teach about doctrines
19 pertaining to a divisive concept as part of a larger course of
20 academic instruction, provided the institution or employee
21 does not compel students to assent to the concept and the
22 instruction follows the requirements of subsection (f).

23 (b) No employee, contractor, staff member, teacher,
24 trainer, or student of the state shall face any penalty or
25 discrimination on account of his or her refusal to support,
26 believe, endorse, embrace, confess, act upon, or otherwise
27 assent to a divisive concept.

1 (c) No state employee, contractor, staff member,
2 teacher, or trainer shall be compelled by a policy of any
3 subdivision of this state, public school district, or public
4 K-12 school to share his or her personal point of view on
5 widely debated and currently controversial issues of public
6 policy or social affairs.

7 (d) The state shall not apply for or accept a
8 federal grant or federal funding if the grant or funding is
9 granted for the purpose of compelling assent to any divisive
10 concept or practice, or if the grant or funding is granted for
11 the purpose of training in any divisive concept or practice as
12 described in subsection (f).

13 (e) The state shall not accept private funding for
14 curriculum development, purchase, or choice of curricular
15 materials, teacher training, or professional development that
16 requires adherence to any divisive concept or practice as
17 described in subsection (f).

18 (f) No state agency, employee, contractor, staff
19 member, teacher, or trainer of a public K-12 school, or public
20 institution of higher education, as part of any course work,
21 for any class credit, or for professional training, may do any
22 of the following:

23 (1) Promote or inculcate students of a public K-12
24 school with any divisive concept.

25 (2) Compel students of a public institution of
26 higher education to assent to any divisive concept.

1 (3) Require students or trainees to participate in a
2 practicum, action project, or similar activity that involves
3 lobbying for legislation at the federal, state, or local
4 level, or any activity involving social or public policy
5 advocacy as part of the course work expressly related to any
6 divisive concept.

7 Section 3. (a) The fair and equal treatment of
8 individuals is an inviolable principle that must be maintained
9 in the state workplace. Each agency shall continue all
10 training that will foster a workplace that is respectful of
11 all employees.

12 (b) The head of each state agency shall use his or
13 her authority to ensure that the agency, agency employees
14 while on duty status, and any contractors hired by the agency
15 to provide required training, workshops, forums, or similar
16 programming for purposes of training, do not teach, advocate,
17 act upon, or promote to agency employees any divisive concept.

18 (c) Agency diversity and inclusion efforts shall
19 encourage agency employees not to judge each other by their
20 color, race, ethnicity, sex, religion, or any other
21 characteristic protected by federal or state law.

22 Section 4. (a) Nothing in this act shall prevent
23 agencies or contractors from promoting racial, cultural, or
24 ethnic diversity or inclusiveness, provided these efforts are
25 consistent with the requirements of this act.

26 (b) Nothing in this act shall be construed to
27 prohibit a public institution of higher education from

1 providing any instruction in furtherance of satisfying any
2 accreditation standard or discussing any divisive concept in
3 an objective manner and without endorsement as part of a
4 larger course of academic instruction, provided the general
5 provisions for all state employees in Section 2 are adhered
6 to, in addition to the following conditions:

7 (1) The institution does not require a student,
8 teacher, administrator, trainee, or other state employee to
9 attend or participate in a class session, training seminar,
10 continuing education course, orientation, or therapy session
11 that compels assent to a divisive concept as described in
12 Section 1.

13 (2) The institution expressly makes clear that it
14 does not endorse these divisive concepts.

15 Section 5. It is the intent of the Legislature that
16 all constitutionally created boards of trustees comply with
17 the requirements of this act.

18 Section 6. All state agencies and political
19 subdivisions, including public K-12 schools and public
20 institutions of higher education, may discipline or terminate
21 the employment of any employee or contractor who violates this
22 act. Any disciplinary action or termination of an employee of
23 a public institution of higher education shall remain subject
24 to relevant policies established by the institution. Public
25 K-12 school terminations remain subject to the appeal of the
26 termination to the local board of education or State Board of
27 Education if applicable, or, if applicable, the Teacher

1 Accountability Act, Chapter 24B of Title 16, Code of Alabama
2 1975, and the Students First Act, Chapter 24C of Title 16,
3 Code of Alabama 1975.

4 Section 7. If any provision of this act, or the
5 application of this act to any individual or circumstance, is
6 held to be invalid, the remainder of this act and the
7 application of this act to any other individual or
8 circumstance shall not be affected thereby.

9 Section 8. Nothing in this act shall be construed to
10 prohibit the teaching of topics or historical events in a
11 historically accurate context.

12 Section 9. 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.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on State Government
..... 08-FEB-22

Read for the second time and placed
on the calendar 1 amendment 15-MAR-22

Read for the third time and passed
as amended..... 17-MAR-22

Yeas 65, Nays 32, Abstains 1

Jeff Woodard
Clerk