

2018 Regular Session

SENATE BILL NO. 228

BY SENATOR MORRELL

SCHOOLS. Prohibits elementary and secondary schools that receive state funds from discriminating based on gender identity or sexual orientation. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:111, relative elementary and secondary schools; to provide  
3 that any school that receives state funds shall not discriminate; to provide that  
4 discrimination on the basis of gender identity or sexual orientation is prohibited; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:111 is hereby amended and reenacted to read as follows:

8 §111. Discrimination in ~~public~~ schools **that receive state funds** prohibited; ~~pupil~~  
9 ~~assignment~~; religious educational institutions

10 A. No person shall be refused admission into, ~~or~~ be excluded from, or  
11 **discriminated against in any form in** any public **elementary or secondary** school  
12 in the state of Louisiana **that receives state funds** on account ~~the basis~~ of race,  
13 creed, color, disability, as defined in R.S. 51:2232(11), ~~or~~ national origin, **gender**  
14 **identity, or sexual orientation.**

15 B. ~~Except with the express approval of a board of education or school board~~  
16 ~~having jurisdiction, a majority of the members of such board having been elected,~~  
17 ~~no student shall be assigned or compelled to attend any school on account of race,~~

1           ~~creed, color or national origin, or for the purpose of achieving equality in attendance~~  
 2           ~~or increased attendance or reduced attendance, at any school, of persons of one or~~  
 3           ~~more particular races, creeds, colors or national origins, and no school district,~~  
 4           ~~school zone or attendance unit, by whatever name known, shall be established,~~  
 5           ~~reorganized or maintained for any such purpose, provided that nothing contained in~~  
 6           ~~this section shall prevent the assignment of a pupil in the manner requested or~~  
 7           ~~authorized by his parents or guardian, and provided further that nothing~~ **Nothing** ~~in~~  
 8           this Act shall be deemed to affect, in any way, the right of a religious or  
 9           denominational educational institution to select its pupils exclusively or primarily  
 10          from members of such religion or denomination or from giving preference to such  
 11          selection to such members or to make such selection to its pupils as is calculated to  
 12          promote the religious principle for which it is established.

13          Section 2. This Act shall become effective upon signature by the governor or, if not  
 14          signed by the governor, upon expiration of the time for bills to become law without signature  
 15          by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 16          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 17          effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Cheryl Serrett.

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	DIGEST	
SB 228 Original	2018 Regular Session	Morrell

Present law provides that no person shall be refused admission into or excluded from any public school on account of race, creed, color, disability, or national origin. Further provides that pupil assignment in public schools shall not be on account of race, creed, color, or national origin, or for the purpose of achieving equality in attendance.

Proposed law provides that no person shall be refused admission into, excluded from, or discriminated against in any form in any school that receives state funds on the basis of race, creed, color, disability, national origin, gender identity, or sexual orientation.

Proposed law removes outdated language that prohibits students from being assigned to a school to help achieve racial equality.

Proposed law retains present law which provides that religious or denominational educational institutions have the right to select pupils exclusively or primarily from members of such religion or denomination or from giving preference to such selection in a manner to promote the religious principle for which the school was established.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:111)