

**FORMATTING NOTE:**

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (({- text here -})) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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**INITIATIVE 200**

PROPOSED WASHINGTON STATE CIVIL RIGHTS INITIATIVE

Proposed Ballot Title

Shall government entities be prohibited from discriminating against or granting preferential treatment to individuals or groups based on race, sex, color, ethnicity, or national origin?

Proposed Ballot Summary

This initiative prohibits government from discriminating against or granting preferential treatment to individuals or groups based on race, sex, color, ethnicity, or national origin in public employment, public education, or public contracting. Government includes all public entities, including the state, cities, counties, public schools, public colleges, public universities, and other governmental instrumentalities. This initiative does not repeal or modify any law or governmental action that does not discriminate or grant preferential treatment.

Co-Sponsors & Co-Chairs

Representative Scott Smith	Tim Eyman
19311 - 110th Ave Ct E	7721 Corliss Ave N
Graham, WA 98338-8140	Seattle, WA 98103-4934
(206) 846-8947	(206) 528-1685

AN ACT Relating to prohibiting government entities from discriminating or granting preferential treatment based on race, sex, color, ethnicity, or national

origin; and adding new sections to chapter 49.60 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. (1) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(2) This section applies only to action taken after the effective date of this section.

(3) This section does not affect any law or governmental action that does not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin.

(4) This section does not affect any otherwise lawful classification that:

(a) Is based on sex and is necessary for sexual privacy or medical or psychological treatment; or

(b) Is necessary for undercover law enforcement or for film, video, audio, or theatrical casting; or

(c) Provides for separate athletic teams for each sex.

(5) This section does not invalidate any court order or consent decree that is in force as of the effective date of this section.

(6) This section does not prohibit action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the state.

(7) For the purposes of this section, "state" includes, but is not necessarily limited to, the state itself, any city, county, public college or university, community college, school district, special district, or other political subdivision or governmental instrumentality of or within the state.

(8) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of Washington anti-discrimination law.

(9) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law, the United States Constitution, or the Washington state Constitution, the section shall be implemented to the maximum extent that federal law, the United States Constitution, and the Washington state Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section.

{+ NEW SECTION. +} Sec. 2. This act shall be known and cited as the Washington State Civil Rights Act.

{+ NEW SECTION. +} Sec. 3. Sections 1 and 2 of this act are each added  
to  
chapter 49.60 RCW.

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