

INITIATIVE 200

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 200 to the Legislature is a true and correct copy as it was received by this office.

***For actual ballot title and actual ballot summary, see Code Reviser note below.**

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

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***Code Reviser Note:** The *proposed* Ballot Title and proposed Ballot Measure Summary above were filed as part of Initiative 200. The *actual* ballot title and *actual* ballot summary written by the Attorney General's Office are as follows:

Ballot Title: Shall government be prohibited from discriminating or granting preferential treatment based on race, sex, color, ethnicity or national origin in public employment, education, and contracting?

Ballot Measure Summary: This measure would prohibit state and local government entities from discriminating against or granting preferential treatment to any individual or group based on race, sex, color, ethnicity, or national origin in public employment, public education, and public contracting. It would not affect otherwise lawful classifications necessary for sexual privacy, medical treatment, undercover law enforcement, theatrical casting, and separate-sex athletic teams. The measure would not prohibit actions necessary to maintain eligibility for federal funds.

1 AN ACT Relating to prohibiting government entities from
2 discriminating or granting preferential treatment based on race, sex,
3 color, ethnicity, or national origin; and adding new sections to
4 chapter 49.60 RCW.

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

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

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

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

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

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

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

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

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

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

29 (7) For the purposes of this section, "state" includes, but is
30 not necessarily limited to, the state itself, any city, county,
31 public college or university, community college, school district,

1 special district, or other political subdivision or governmental
2 instrumentality of or within the state.

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

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

14 NEW SECTION. **Sec. 2.** This act shall be known and cited as the
15 Washington State Civil Rights Act.

16 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act are each
17 added to chapter 49.60 RCW.

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