
HOUSE BILL 2174

State of Washington 58th Legislature 2003 Regular Session

By Representatives Boldt, McMahan, Crouse, Schindler and Mielke

Read first time 02/28/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to prohibiting special rights based on certain
2 sexual preferences and practices; adding new sections to chapter 49.60
3 RCW; creating new sections; and providing for submission of this act to
4 a vote of the people.

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

6 NEW SECTION. **Sec. 1.** This act shall be known and cited as the
7 Washington state equal rights, not special rights act.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.60 RCW
9 to read as follows:

10 Neither the state of Washington, nor its political subdivisions,
11 shall deny any right expressly guaranteed by the Constitution of the
12 state of Washington or the Constitution of these United States of
13 America.

14 Persons who commit acts of violence against the person or property
15 of others should be prosecuted and appropriately punished in order to
16 protect law-abiding citizens and to ensure the guarantee of equal
17 justice for all.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.60 RCW
2 to read as follows:

3 The people find that equal protection of the law, not special
4 rights, is a fundamental principle of constitutional government and is
5 essential to the well-being and perpetuation of a free society.

6 The people further find that there is a legitimate and compelling
7 state interest in ensuring equal protection of the law for all citizens
8 and in preventing special rights based on any homosexual, bisexual,
9 transsexual, or transvestite status, preference, orientation, conduct,
10 act, practice, or relationship.

11 The people further find that there is a legitimate and compelling
12 state interest in ensuring that the rights of parents to control the
13 education of their children and that the sincerely held values and
14 beliefs of citizens regarding homosexuality, bisexuality,
15 transsexuality, or transvestism are not denigrated or denied by the
16 public schools and that homosexuality, bisexuality, transsexuality, or
17 transvestism are not presented, promoted, or approved as positive,
18 healthy, or appropriate behavior.

19 The people further find that "the duty of all teachers" as required
20 in RCW 28A.405.030 "to endeavor to impress on the minds of their pupils
21 the principles of morality, truth, justice, temperance, humanity and
22 patriotism" and "to teach them to avoid idleness, profanity and
23 falsehood" is an indispensable prerequisite for providing a sound
24 education, maintaining a virtuous and ethical society, and guaranteeing
25 the rights of all citizens.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 49.60 RCW
27 to read as follows:

28 Neither the state of Washington, nor its political subdivisions,
29 including counties, cities, towns, and school districts, shall by any
30 means or instrumentality, enact or enforce a policy whereby any
31 homosexual, bisexual, transsexual, or transvestite status, preference,
32 orientation, conduct, act, practice, or relationship, or gender
33 expression or identity shall be a basis for a person to maintain any
34 special classification or privilege; minority status; quota preference;
35 affirmative action right; legal standing; public benefit; marital,
36 spousal, parental, familial, or domestic privilege, advantage,

1 entitlement, benefit, position, or status; claim of discrimination; or
2 special right or protection.

3 A school, through any employee, volunteer, guest, agent, or other
4 means or instrumentality, shall not present, promote, or approve
5 homosexuality, bisexuality, transsexuality, or transvestism, or any
6 such conduct, act, practice, or relationship, or gender expression or
7 identity as a positive, healthy, or appropriate behavior or lifestyle.
8 As used in this section, "school" means any common school of the state
9 of Washington.

10 NEW SECTION. **Sec. 5.** This act is necessary for the preservation
11 of the public peace, health, morals, or safety, or support of the state
12 government and its existing public institutions.

13 NEW SECTION. **Sec. 6.** The provisions of this act are to be
14 liberally construed to effectuate the policies and purposes of this
15 act. In the event of conflict between this act and any other provision
16 of law, the provisions of this act shall govern.

17 NEW SECTION. **Sec. 7.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 8.** The secretary of state shall submit this act
22 to the people for their adoption and ratification, or rejection, at the
23 next general election to be held in this state, in accordance with
24 Article II, section 1 of the state Constitution and the laws adopted to
25 facilitate its operation.

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