

## **NO SPECIAL PREFERENCES BY GOVERNMENT**

AN ACT Relating to prohibiting special preferences by government; adding a new section to chapter 49.60 RCW; and creating new sections.

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

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

(1) The government may not give special preferences to any individual based on their race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. Such discrimination is in direct violation of the intent, policies, and purposes of this act. To ensure compliance with this requirement, the government shall delay the collection of these group classifications until after a final decision is made, not before. If the collection of these group classifications is not delayed, the government could use it to give special preferences to an individual based on these group classifications. Such discriminatory policies are in direct violation of the intent, policies, and purposes of this act. For the purpose of interpretation of this requirement, the use of names on applications, face-to-face interviews, visits, tours, or phone calls prior to a final decision are not prohibited; such interactions do not constitute the collection of group classifications for the purposes of this requirement.

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

(3) This section does not affect any law or governmental action that does not give special preferences to any individual based on their race, sex, color, ethnicity, or national origin.

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

(5) For purposes of this chapter, "give special preferences" means the act of selecting one individual over another individual based on their race, sex, color, ethnicity, or national origin for a public education, public employment, or public contracting opportunity.

(6) Consistent with the intent, policies, and purposes of this act, the government may not give special preferences to any individual based on their race, sex, color, ethnicity, or national origin in the operation of public employment. To ensure compliance with this requirement, the government shall delay the collection of these group classifications until after the final decision is made, not before. If the collection of these group classifications is not delayed, the government could use it to give special preferences to an individual based on these group classifications. Such discriminatory policies are in direct violation of the intent, policies, and purposes of this act. For the purpose of interpretation of this requirement, the use of names on applications, face-to-face interviews, visits, tours, or phone calls are not prohibited; such interactions do not constitute the collection of group classifications for the purposes of this requirement.

(7) Consistent with the intent, policies, and purposes of this act, the government may not give special preferences to any individual based on their race, sex, color, ethnicity, or national origin in the operation of public education. To ensure compliance with this requirement, the government, such as a public school, including any that use, in whole or in part, a holistic system in its admission policy, shall delay the collection of these group classifications until after the final decision is made, not before. If the collection of these group classifications is not delayed, the government could use it to give special preferences to an individual based on these group classifications. Such discriminatory policies are in direct violation of the intent, policies, and purposes of this act. For the purpose of interpretation of this requirement, the use of names on applications, face-to-face interviews, visits, tours, or phone calls prior to a final decision are not prohibited; such interactions do not constitute the collection of group classifications for the purposes of this requirement.

(8) Consistent with the intent, policies, and purposes of this act, the government may not give special preferences to any individual based on their race, sex, color, ethnicity, or national origin in the operation of public contracting. To ensure compliance with this requirement, the government shall delay the collection of these group classifications until after the final decision is made, not before. If the collection of these group classifications is not delayed, the government could use it to give special preferences to an individual based on these group classifications. Such discriminatory policies are in direct violation of the intent, policies, and purposes of this act. For the purpose of interpretation of this requirement, the use of names on applications, face-to-face interviews, visits, tours, or phone calls prior to a final decision are not prohibited; such interactions do not constitute the collection of group

classifications for the purposes of this requirement.

NEW SECTION. **Sec. 2.** The provisions of this act are to be liberally construed to effectuate the policies, purposes, and intent of this act.

NEW SECTION. **Sec. 3.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 4.** This act is known and may be cited as “No Special Preferences By Government.”

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