

By: Smith (35th)

To: Labor

## HOUSE BILL NO. 1094

1 AN ACT TO RECOGNIZE THAT THE ABILITY TO SEEK EMPLOYMENT IS A  
2 CONSTITUTIONAL RIGHT WHICH SHALL NOT BE UNREASONABLY RESTRICTED;  
3 AND FOR RELATED PURPOSES.

4 WHEREAS, The Mississippi Legislature recognizes that the  
5 ability to seek employment is a constitutional right which shall  
6 not be unreasonably restricted; NOW, THEREFORE,

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. (1) For purposes of this act, "certificate"  
9 means any certificate of employability, certificate of mastery or  
10 other certificate of proficiency established by the State Board of  
11 Education or any other state agency as a requirement for  
12 graduation from the secondary school grades in lieu of a high  
13 school diploma or a GED equivalent or graduation requirements for  
14 individuals with disabilities.

15 (2) No standardized certificate shall be established which  
16 would restrict the free access to the job market by all citizens.

17 (3) No business shall be mandated by law to restrict its  
18 hiring policy to individuals who possess a government-issued  
19 standardized certificate which restricts the free access to the  
20 job market by all citizens.

21 (4) No certificate shall be required in order to apply for  
22 acceptance in institutions of higher learning.

23 (5) The intent of this law in no wise shall be construed to  
24 limit the ability of government, business and industry to set  
25 necessary minimum requirements for hiring individuals to perform  
26 specific tasks; however, the requirements must directly relate to

27 the performance of the task.

28       The intent of this law in no wise shall be construed to limit  
29 the ability of private or public institutions of higher learning  
30 to establish necessary minimum academic requirements which assure  
31 that a student is ready for the level of instruction the  
32 institution provides.

33       SECTION 2. This act shall take effect and be in force from  
34 and after July 1, 2000.