MISSISSIPPI LEGISLATURE

By: Senator(s) McLendon, Blackwell, Younger, Tate, Wiggins, McCaughn, Parks, Seymour, Caughman, Chassaniol, Sparks, Kirby, Whaley, England, Chism, Michel, McMahm, Fillingane, Branning, Moran, Suber, McDaniel, Sojourner, Williams

REGULAR SESSION 2022

COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 2113

S. B. No. 2113

AN ACT TO CREATE NEW SECTION 37-13-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING, COMMUNITY/JUNIOR COLLEGE, SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DIRECT OR COMPEL STUDENTS TO AFFIRM THAT ANY SEX, RACE, ETHNICITY, RELIGION OR NATIONAL ORIGIN IS HERENTLY SUPERIOR, OR THAT INDIVIDUALS SHOULD BE ADVERSELY TREATED BASED ON SUCH CHARACTERISTICS; TO PROVIDE THAT NO DISTINCTION OR CLASSIFICATION OF STUDENTS SHALL BE MADE ON ACCOUNT OF RACE OTHER THAN THE REQUIRED COLLECTION OR REPORTING OF DEMOGRAPHIC INFORMATION; TO PROVIDE THAT NO COURSE OF INSTRUCTION SHALL BE TAUGHT THAT AFFIRMS SUCH PRINCIPLES; TO PROVIDE THAT NO FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF EDUCATION, ANY ENTITY UNDER THE DEPARTMENT'S JURISDICTION, SCHOOL DISTRICTS, CHARTER SCHOOLS, COMMUNITY/JUNIOR COLLEGES, THE MISSISSIPPI COMMUNITY COLLEGE BOARD, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING OR PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR ANY PURPOSE THAT WOULD VIOLATE THIS ACT; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 37-13-2, Mississippi Code of 1972:

37-13-2. (1) No public institution of higher learning, community/junior college, school district or public school, including public charter schools, shall direct or otherwise compel students to personally affirm, adopt or adhere to any of the following tenets:
(a) That any sex, race, ethnicity, religion or national
origin is inherently superior or inferior; or
(b) That individuals should be adversely treated on the
basis of their sex, race, ethnicity, religion or national origin.
(2) No public institution of higher learning,
community/junior college, school district or public school,
including public charter schools, shall make a distinction or
classification of students based on account of race, provided that
nothing in this subsection shall be construed to prohibit the
required collection or reporting of demographic information by
such schools or institutions.
(3) No public institution of higher learning,
community/junior college, school district or public school,
including public charter schools, shall teach a course of
instruction or unit of study that directs or otherwise compels
students to personally affirm, adopt or adhere to any of the
tenets identified in subsection (1)(a) and (b) of this section.
(4) No funds shall be expended by the State Department of
Education, any entity under the Department of Education's
jurisdiction or purview, a school district, public charter school,
community/junior college, the Mississippi Community College Board,
the Board of Trustees of State Institutions of Higher Learning or
a public institution of higher learning for any purpose that would
violate the provisions of this section.
(5) The provisions of this section shall be severable, and if any provision of this section or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.