

By: Representatives Hood, Powell, Burch,  
Calvert, Keen, Tubb

To: Judiciary A

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1193

1 AN ACT TO PROHIBIT PUBLIC SCHOOLS, STATE ACCREDITED NONPUBLIC  
2 SCHOOLS AND PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS FROM  
3 CREATING, PROMOTING AND IMPLEMENTING DIVERSITY, EQUITY, AND  
4 INCLUSION (DEI) PROGRAMS; TO DEFINE RELEVANT TERMS; AND TO  
5 PROHIBIT THE USE OF DIVERSITY STATEMENTS AND TRAINING IN HIRING,  
6 ADMISSIONS, AND EMPLOYMENT PRACTICES AT STATE INSTITUTIONS OF  
7 HIGHER LEARNING; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION, THE  
8 BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE  
9 MISSISSIPPI COMMUNITY COLLEGE BOARD IN MISSISSIPPI, TO TEACH,  
10 PROMOTE AND DISTRIBUTE INFORMATION THAT THERE ARE TWO GENDERS,  
11 MALE AND FEMALE, AS DETERMINED BY AN INDIVIDUAL'S CHROMOSOMES; TO  
12 REQUIRE THE SUBMISSION OF ANNUAL REPORTS TO THE GOVERNOR AND THE  
13 LEGISLATURE CONTAINING INFORMATION ON ITS COMPLIANCE WITH THIS ACT  
14 AND THE COMPLIANCE OF EACH SCHOOL DISTRICT; TO PROVIDE FOR THE  
15 PRIVATE ENFORCEMENT OF THIS ACT; TO PROVIDE FOR ENFORCEMENT OF  
16 THIS ACT BY THE MISSISSIPPI ATTORNEY GENERAL; AND FOR RELATED  
17 PURPOSES.

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

19 **SECTION 1.** The purpose of this act is to prohibit public  
20 schools, state-accredited nonpublic schools, and public  
21 postsecondary educational institutions from taking certain actions  
22 and engaging in discriminatory practices. This act seeks to  
23 ensure that employment, academic opportunities, and student  
24 engagement are based solely on individual merit, qualifications,



25 and academic performance, without consideration of an individual's  
26 views on diversity, equity and inclusion (DEI).

27 **SECTION 2.** As used in this act, the following terms shall  
28 have the meanings herein ascribed, unless context of use clearly  
29 requires otherwise:

30 (a) "Diversity statement" means a written statement or  
31 essay that requires an individual to express their views or  
32 commitment regarding issues related to race, sex, color,  
33 ethnicity, gender identity, sexual orientation, religion or  
34 national origin.

35 (b) "Diversity training" means any formal or informal  
36 education, seminars, workshops or instructional program that focus  
37 on increasing awareness or understanding of issues related to  
38 race, sex, color, ethnicity, gender identity, sexual orientation,  
39 religion or national origin.

40 (c) "Divisive concepts" are concepts that:

41 (i) One (1) race, sex, color, ethnicity, gender  
42 identity, sexual orientation, religion or national origin is  
43 inherently superior to another race or sex;

44 (ii) An individual, by virtue of his or her race,  
45 sex, color, ethnicity, gender identity, sexual orientation,  
46 religion or national origin, is inherently racist, sexist or  
47 oppressive, whether consciously or unconsciously;

48 (iii) An individual should be discriminated  
49 against or treated adversely solely because of their race, sex,



50 color, ethnicity, gender identity, sexual orientation, religion or  
51 national origin;

52 (iv) Members of one (1) race, one (1) sex, one (1)  
53 color, one (1) ethnicity, certain gender identity, sexual  
54 orientation, religion or national origin cannot and should not  
55 attempt to treat others without respect to race, color, ethnicity  
56 or sex, gender identity, sexual orientation, religion or national  
57 origin;

58 (v) An individual's moral character is necessarily  
59 determined by his or her race, color, ethnicity, sex, gender  
60 identity, sexual orientation, religion or national origin;

61 (vi) An individual, by virtue of his or her race,  
62 color, ethnicity, sex, gender identity, sexual orientation,  
63 religion or national origin, bears responsibility for actions  
64 committed in the past by other members of any class listed herein;

65 (vii) An individual should feel discomfort, guilt,  
66 anguish or any other form of psychological distress on account of  
67 his or her race, color, ethnicity, sex, gender identity, sexual  
68 orientation, gender identity, religion or national origin; or

69 (viii) Meritocracy or traits such as a hard work  
70 ethic are racist or sexist, or were created by a particular class  
71 to oppress another class.

72 (d) "Public school" means an elementary or secondary  
73 school governmental entity under the exercise and management of a  
74 local school governing board, established to supervise one or more



75 public schools within its geographical limits pursuant to state  
76 statutes. The terms also include:

77 (i) Agricultural high schools;

78 (ii) The Mississippi School for the Deaf and  
79 Blind, under the governing authority of the State Board of  
80 Education;

81 (iii) The Mississippi School of the Arts, under  
82 the governing authority of the State Board of Education;

83 (iv) The Mississippi School for Mathematics and  
84 Science, under the governing authority of the State Board of  
85 Education; and

86 (v) Public charter schools.

87 (e) "State-accredited nonpublic school" means a  
88 nonpublic school located within this state accredited by the State  
89 Board of Education.

90 (f) "Public postsecondary educational institutions"  
91 mean any state-supported four-year college or university under the  
92 purview of the Board of Trustees of State Institutions of Higher  
93 Learning and any two-year community or junior college under the  
94 purview of the Mississippi Community College Board and the boards  
95 of trustees of the community college district to which the  
96 community or junior college is assigned.

97 **SECTION 3.** No public school, state-accredited nonpublic  
98 school or public postsecondary educational institution shall:



99 (a) Require, request, or consider diversity statements  
100 or similar materials from job applicants as part of the hiring  
101 process, contract renewal process, evaluation or promotion  
102 process;

103 (b) Require, request, or consider diversity statements  
104 or similar materials from applicants for admission to academic  
105 programs;

106 (c) Require, induce or compel students or employees to  
107 participate in diversity training;

108 (d) Require, induce, or compel students or employees to  
109 endorse, assent to or publicly express a divisive concept;

110 (e) Penalize or discriminate against a student,  
111 employee or contractor on the basis of his or her refusal to  
112 support, believe, endorse, embrace, confess, act upon or otherwise  
113 assent to a divisive concept; or

114 (f) Maintain any programs, including academic programs  
115 or courses, or offices that promote or endorse divisive concepts  
116 or concepts promoting transgender ideology, gender-neutral  
117 pronouns, heteronormativity, gender theory, sexual privilege or  
118 any related formulation of these concepts.

119 **SECTION 4.** Nothing in this act shall be construed to:

120 (a) Prohibit the required collection or reporting of  
121 demographic data by a public school, state-accredited nonpublic  
122 school or public postsecondary educational institution;



123           (b) Prohibit a public school, state-accredited  
124 nonpublic school or public postsecondary educational institution  
125 from requiring a student or employee to comply with federal or  
126 state laws, or from taking action against a student or employee  
127 for violations of federal or state law;

128           (c) Limit or restrict freedom of speech or academic  
129 freedom that undermines the duty of a public school,  
130 state-accredited nonpublic school or public postsecondary  
131 educational institution to protect academic freedom, intellectual  
132 diversity and true expression provided that none of these  
133 protected tenets conflict with this act;

134           (d) Prohibit a public school, state-accredited  
135 nonpublic school or public postsecondary educational institution  
136 from complying with any applicable academic accreditation  
137 standards or requirements; or

138           (e) Prohibit or restrict programs or campus activities  
139 required for compliance with federal laws or regulations, or  
140 access programs for military veterans, Pell Grant recipients,  
141 first-generation college students, nontraditional students,  
142 students from low-income families or students with  
143 unique abilities, students with disabilities or students from the  
144 foster care system.

145           **SECTION 5.** (1) All public schools, state-accredited  
146 nonpublic schools, and public postsecondary educational  
147 institutions in Mississippi, shall teach, promote and distribute



148 information based on the scientific policy that there are two (2)  
149 genders, male and female. A male has a chromosome of XY, and a  
150 female has a chromosome of XX. The State Department of Education,  
151 all public school districts, the Board of Trustees of State  
152 Institutions of Higher Learning and the Mississippi Community  
153 College Board shall recognize and establish policies that  
154 biological gender shall be based on the chromosomal makeup of an  
155 individual.

156 (2) By July 1, 2026, and annually by July 1 thereafter, the  
157 State Department of Education, the Board of Trustees of State  
158 Institutions of Higher Learning and the Mississippi Community  
159 College Board shall provide a report and documentation to the  
160 Governor, the Lieutenant Governor and the Speaker of the  
161 Mississippi House of Representatives regarding its compliance with  
162 this section, and including information on the compliance of each  
163 public school district.

164 **SECTION 6.** (1) A person may assert a violation of this  
165 section as a claim or defense in a judicial or administrative  
166 proceeding and obtain compensatory damages, punitive damages,  
167 injunctive relief, declaratory relief or any other appropriate  
168 relief. Such claim may be brought against any applicable  
169 governmental entity which caused or contributed to a violation of  
170 this section.

171 (2) Any person under eighteen (18) years of age may bring an  
172 action at any time to assert a violation of this section through a



173 parent or next friend and may bring an action in his or her own  
174 name upon reaching the age of eighteen (18) years.

175 (3) An action under this act may be commenced, and relief  
176 may be granted, in a judicial proceeding without regard to whether  
177 the person commencing the action has sought or exhausted available  
178 administrative remedies.

179 (4) In any action or proceeding to enforce a provision of  
180 this section, a prevailing party who establishes a violation of  
181 this section shall recover reasonable attorney's fees.

182 (5) (a) The Attorney General shall bring an action to  
183 enforce compliance with this section.

184 (b) This section shall not be construed to deny, impair  
185 or otherwise affect any right or authority of the Attorney  
186 General, the State of Mississippi, or any agency, officer or  
187 employee of the state, acting under any law other than this  
188 section, to institute or intervene in any proceeding.

189 **SECTION 7.** If any public school, state-accredited nonpublic  
190 school, or public postsecondary educational institution receives  
191 more than two (2) complaints in violation of this act, applicable  
192 state grants or monies shall be withheld until the school or  
193 institution complies with the provisions of this act.

194 **SECTION 8.** If any section, paragraph, sentence, clause,  
195 phrase or any part of this act is declared to be unconstitutional  
196 or void, or if for any reason is declared to be invalid or of no  
197 effect, the remaining sections, paragraphs, sentences, clauses,





198 phrases or parts thereof shall be in no manner affected thereby  
199 but shall remain in full force and effect.

200           **SECTION 9.** This act shall take effect and be in force from  
201 and after July 1, 2025.

