

1 *Be It Enacted by the People of the State of Colorado:*

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3 Article II of the constitution of the State of Colorado is amended by the addition of
4 the following section:

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6 SECTION 31. NONDISCRIMINATION BY THE STATE

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8 (1) The State shall not discriminate against, or grant preferential treatment to,
9 any individual or group on the basis of race, sex, color, ethnicity, or national
10 origin in the operation of public employment, public education, or public
11 contracting.

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13 (2) This section shall apply only to action taken after the section's effective date.

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15 (3) Nothing in this section shall be interpreted as prohibiting bona fide
16 qualifications based on sex that are reasonably necessary to the normal
17 operation of public employment, public education, or public contracting.

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19 (4) Nothing in this section shall be interpreted as invalidating any court order or
20 consent decree that is in force as of the effective date of this section.

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22 (5) Nothing in this section shall be interpreted as prohibiting action that must be
23 taken to establish or maintain eligibility for any federal program, if ineligibility
24 would result in a loss of federal funds to the state.

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26 (6) For the purposes of this section, "state" shall include, but not necessarily be
27 limited to, the State of Colorado, any agency or department of the state, any
28 public institution of higher education, any political subdivision, or any
29 governmental instrumentality of or within the state.

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31 (7) The remedies available for violations of this section shall be the same,
32 regardless of the injured party's race, sex, color, ethnicity, or national origin, as
33 are otherwise available for violations of then-existing Colorado anti-discrimination
34 law.

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36 (8) This section shall be self-executing. If any part or parts of this section are
37 found to be in conflict with federal law or the United States Constitution, the
38 section shall be implemented to the maximum extent that federal law and the
39 United States Constitution permit. Any provision held invalid shall be severable
40 from the remaining portions of this section.

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