

Amendment - 2nd Reading-yellow - Requested by: Lukas Schubert - (H) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Rachel Weiss,

HB0638.001.003

1 HOUSE BILL NO. 638
2 INTRODUCED BY R. GREGG, G. OVERSTREET, E. BYRNE, C. SCHOMER, C. COCHRAN, T. MILLETT, C.
3 SPRUNGER, S. FITZPATRICK, B. LER, K. ZOLNIKOV, B. MITCHELL, G. PARRY
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING HUMAN RIGHTS LAWS; PROHIBITING
6 A STATE OR LOCAL GOVERNMENT AGENCY FROM REQUIRING OR REQUESTING A DIVERSITY
7 STATEMENT OR GRANTING ANY PREFERENTIAL TREATMENT BASED ON THE SUBMISSION OF A
8 DIVERSITY STATEMENT; PROVIDING AN EXCEPTION; AND PROVIDING DEFINITIONS."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11

12 NEW SECTION. Section 1. Diversity statements prohibited -- exception. (1) A state or local
13 government agency may not require, request, solicit, or compel a person to provide a diversity statement.

14 (2) A state or local government agency may not grant any form of preferential consideration or
15 treatment to a person who, with or without solicitation from the state or local government agency, provides a
16 diversity statement.

17 (3) If federal law requires a state or local government agency to accept or require a diversity
18 statement, then the state or local government agency:

19 (a) may accept the diversity statement only to the extent required under federal law; and

20 (b) shall limit consideration of the information contained in the diversity statement to the extent
21 necessary to satisfy the requirement under federal law.

22 (4) Nothing in this section limits or prohibits a state or local government agency from establishing
23 policies that are necessary to comply with state or federal law, including laws relating to prohibited
24 discrimination and harassment.
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26 NEW SECTION. Section 2. Definitions. As used in [sections 1 ~~through and~~ 2], unless the context
27 clearly indicates otherwise, the following definitions apply:

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1 (1) "Diversity statement" means a submission, statement, or document that promotes or is
2 intended to promote differential treatment based on an individual's race, color, ethnicity, ~~sex, sexual orientation,~~
3 national origin, ~~or~~ religion, ~~or gender identity~~.

4 (2) "State or local government agency" means:

5 (a) any branch, department, office, board, bureau, commission, agency, university unit, college, or
6 other instrumentality of state government; or

7 (b) a county, city, town, school district, or other unit of local government and any instrumentality of
8 local government.

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10 NEW SECTION. Section 3. Codification instruction. [Sections 1 ~~through and~~ 2] are intended to be
11 codified as a new chapter in Title 49, and the provisions of Title 49 apply to [sections 1 ~~through and~~ 2].

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