

Senate File 381 - Introduced

SENATE FILE 381
BY CHELGREN

A BILL FOR

1 An Act relating to the department of human rights by
2 prohibiting the department from providing advocacy or
3 services on the basis of race or ethnicity and finding that
4 such advocacy or services may be provided on the basis of
5 gender.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 7E.5, subsection 1, paragraph s, Code
2 2011, is amended to read as follows:

3 s. The department of human rights, created in section
4 216A.1, which has primary responsibility for services relating
5 to ~~Latino persons~~, women, persons with disabilities, community
6 action agencies, criminal and juvenile justice planning,
7 ~~African Americans~~, and deaf and hard-of-hearing persons,
8 ~~persons of Asian and Pacific Islander heritage, and Native~~
9 ~~Americans~~.

10 Sec. 2. Section 216A.1, subsection 1, paragraph a,
11 subparagraphs (1), (5), (6), and (7), Code 2011, are amended
12 by striking the subparagraphs.

13 Sec. 3. Section 216A.1, subsection 2, Code 2011, is amended
14 to read as follows:

15 2. The purpose of the department is to ensure basic
16 rights, freedoms, and opportunities for all by empowering
17 ~~underrepresented~~ Iowans and eliminating economic, social, and
18 cultural barriers.

19 Sec. 4. Section 216A.1, Code 2011, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 3. The department shall not grant to
22 any citizen, or class of citizens, privileges or immunities,
23 which, upon the same terms shall not equally belong to all
24 citizens, and shall therefore not provide advocacy or services
25 to any citizen, or class of citizens, on the basis of race or
26 ethnicity. The department may, however, provide advocacy or
27 services to any citizen, or class of citizens, on the basis of
28 gender, as the general assembly finds that the Constitution
29 both specifically and within context recognizes a difference
30 between the genders.

31 Sec. 5. Section 216A.3, subsection 2, paragraph a, Code
32 2011, is amended to read as follows:

33 a. The voting members shall consist of ~~nine~~ five voting
34 members selected by each of the permanent commissions within
35 the department, and two voting members, appointed by the

1 governor. For purposes of this paragraph "a", "permanent
2 commissions" means the ~~commission of Latino affairs,~~
3 commission on the status of women, commission of persons
4 with disabilities, commission on community action agencies,
5 commission of deaf services, and the criminal and juvenile
6 justice planning advisory council, ~~commission on the status of~~
7 ~~African Americans, commission of Asian and Pacific Islander~~
8 ~~affairs, and commission of Native American affairs.~~ The term
9 of office for voting members is four years.

10 Sec. 6. Section 216A.3, subsection 4, paragraph a, Code
11 2011, is amended to read as follows:

12 a. Develop and monitor implementation of a comprehensive
13 strategic plan to remove barriers ~~for underrepresented~~
14 ~~populations and, in doing so, in order~~ to increase Iowa's
15 productivity and inclusivity, including performance measures
16 and benchmarks.

17 Sec. 7. Section 216A.4, subsection 4, Code 2011, is amended
18 by striking the subsection.

19 Sec. 8. REPEAL. Sections 216A.11, 216A.12, 216A.13,
20 216A.14, 216A.15, 216A.141, 216A.142, 216A.143, 216A.146,
21 216A.151, 216A.152, 216A.153, 216A.154, 216A.161, 216A.162,
22 216A.163, 216A.165, 216A.166, 216A.167, Code 2011, are
23 repealed.

24 EXPLANATION

25 This bill eliminates certain race-based or ethnicity-based
26 offices within the division of community advocacy and services
27 of the department of human rights. The bill also prohibits
28 the department from providing advocacy or services to any
29 citizen or class of citizens on the basis of race or ethnicity.
30 The bill, however, specifically allows for the provision of
31 advocacy or services on the basis of gender.

32 The bill eliminates the commission of Latino affairs and the
33 office of Latino affairs. The bill eliminates the commission
34 on the status of African Americans and the office on the status
35 of African Americans. The bill eliminates the commission of

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1 Asian and Pacific Islander affairs and the office of Asian and
2 Pacific Islander affairs. The bill eliminates the commission
3 of Native American affairs and the office of Native American
4 affairs. The bill amends the department's statement of
5 purpose and removes certain definitions.