

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1330

Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Bostelman, 23;
Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen,
16; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34;
Lowe, 37; Meyer, 41.

Read first time January 17, 2024

Committee:

- 1 A BILL FOR AN ACT relating to public educational institutions; to define
- 2 terms; to prohibit public educational institutions from taking
- 3 certain actions relating to diversity, equity, and inclusion; and to
- 4 provide for injunctive relief.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Diversity, equity, and inclusion program means a program that
3 requires an employee of a public educational institution to participate
4 in or attend a training, orientation, workshop, therapy session, or
5 similar activity that focuses on any of the following:

6 (i) Describing structures, systems, relations of power, privilege,
7 or subordination on the basis of race, sex, color, gender, ethnicity,
8 gender identity, or sexual orientation;

9 (ii) Describing methods to identify, dismantle, or oppose any such
10 structure, system, relation of power, privilege, or subordination;

11 (iii) Justifying differential treatment or benefit on the basis of
12 race, sex, color, gender, ethnicity, gender identity, or sexual
13 orientation; or

14 (iv) Advancing theories of unconscious or implicit bias, cultural
15 appropriation, allyship, transgenderism, microaggressions,
16 microinvalidation, group marginalization, anti-racism, systemic
17 oppression, ethnocentrism, structural racism or inequity, social justice,
18 intersectionality, neopronouns, inclusive language, heteronormativity,
19 disparate impact, gender identity or theory, racial or sexual privilege,
20 or any concept substantially related to any of these theories; and

21 (b) Public educational institution means the University of Nebraska,
22 the state colleges, and the community colleges.

23 (2) A public educational institution shall not:

24 (a) Require an employee to engage in a diversity, equity, and
25 inclusion program;

26 (b) Spend public money on a diversity, equity, and inclusion
27 program;

28 (c) Require, as a condition of a contract, participation in a
29 diversity, equity, and inclusion program;

30 (d) Spend public money to acquire services, supplies, information
31 technology, or goods for a diversity, equity, and inclusion program;

1 (e) Establish, support, sustain, or employ an office or individual
2 whose duties include coordinating, creating, developing, designing,
3 implementing, organizing, planning, or promoting diversity, equity, and
4 inclusion programs;

5 (f) Except as required by federal law:

6 (i) Advance or adopt any policy or procedure designed to influence
7 the composition of its workforce on the basis of race, sex, or color; or

8 (ii) Advance or adopt any policy or procedure designed or
9 implemented on the basis of race, sex, or color; or

10 (g) Promote or adopt any theory of unconscious or implicit bias,
11 cultural appropriation, allyship, transgenderism, microaggressions,
12 microinvalidation, group marginalization, anti-racism, systemic
13 oppression, ethnocentrism, structural racism or inequity, social justice,
14 intersectionality, neopronouns, inclusive language, heteronormativity,
15 disparate impact, gender identity or theory, racial or sexual privilege,
16 or any related theory as the official position of the public educational
17 institution.

18 (3) An employee of a public educational institution who is required
19 to participate in a diversity, equity, and inclusion program may bring an
20 action against the public educational institution. If the employee
21 demonstrates that the public educational institution violated this
22 section, the employee is entitled to injunctive relief.

23 (4) This section does not preclude a public educational institution
24 from:

25 (a) Offering training on sexual harassment; or

26 (b) Operating an office staffed by, or employing, licensed attorneys
27 and legal support staff whose sole purpose is ensuring compliance with
28 federal law or an applicable court order.