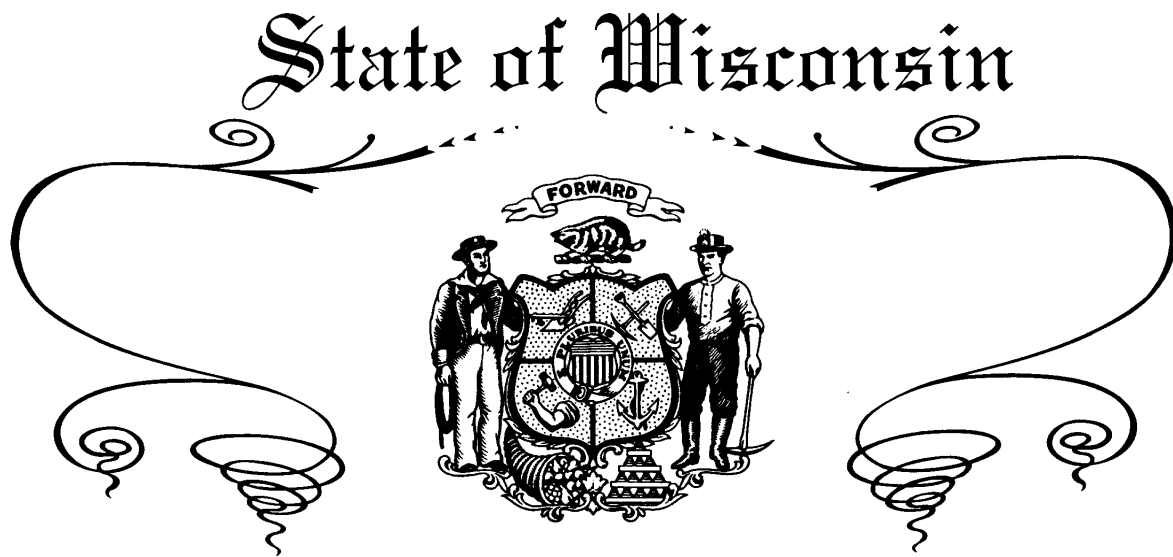




2025 Assembly Joint Resolution 102

ENROLLED JOINT RESOLUTION

To create section 27 of article I of the constitution; **relating to:** prohibiting governmental entity discrimination (second consideration).

Resolved by the assembly, the senate concurring, That:

Whereas, the 2023 legislature in regular session considered a proposed amendment to the constitution in 2023 Assembly Joint Resolution 109, which became 2023 Enrolled Joint Resolution 15, and agreed to it by a majority of the members elected to each of the two houses, which proposed amendment reads as follows:

SECTION 1. Section 27 of article I of the constitution is created to read:

[Article I] Section 27 (1) In this section, “governmental entity” means the state, its political subdivisions including municipalities, the University of Wisconsin System, the Technical College System, any public college or university, any public school district, and any office, department, independent agency, board, commission, authority, institution, association, society, or other body in state or local government created or authorized to be created by the constitution or any law, including the legislature and the courts.

(2) A governmental entity may not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, public contracting, or public administration.

(3) This section does not prohibit action that must be taken to establish or

maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the governmental entity.

(4) Nothing in this section prohibits bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public education, public contracting, or public administration.

(5) If any part or parts of this section are found to be in conflict with the United States Constitution or federal law, the section shall be implemented to the maximum extent that the United States Constitution and federal law permit. Any provision of this section held invalid shall be severable from the remaining portions of this section.

SECTION 2. Numbering of new provisions. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

Now, therefore, be it resolved by the assembly, the senate concurring, That the foregoing proposed amendment to the constitution is agreed to by the 2025 legislature; and, be it further

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the first Tuesday of November 2026; and, be it further

Resolved, That the questions concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: “Governmental entity discrimination prohibited. Shall section 27 of article I of the constitution be created to prohibit governmental entities in the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, public contracting, or public administration?”

Senator Mary Felzkowski
President of the Senate

Representative Robin J. Vos
Speaker of the Assembly

Date

Edward A. Blazel
Assembly Chief Clerk