

2023 Regular Session

SENATE BILL NO. 128

BY SENATOR MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

POSTSECONDARY ED. Provides relative to certain practices of public postsecondary institutions. (8/1/23)

1 AN ACT

2 To enact R.S. 17:3153, relative to the granting of admissions and financial aid at public  
3 postsecondary education institutions; to prohibit the use of information on race, sex,  
4 or national origin in admission practices and in the awarding of certain student aid;  
5 to prohibit the use of subjective or vague criteria in admission practices; to require  
6 institutions to report certain information; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3153 is hereby enacted to read as follows:

9 **§3153. Consideration of race, sex, or national origin; prohibited acts**

10 **A.(1) A public postsecondary education institution shall not use**  
11 **information regarding a prospective student's or a prospective student's family**  
12 **member's race, sex, or national origin during the admissions process to**  
13 **determine the prospective student's acceptance for admission into the**  
14 **institution or a program of study.**

15 **(2) A public postsecondary education institution shall clearly state the**  
16 **criteria used in admissions processes in the institution's admissions documents**  
17 **and on the institution's admissions website. Subjective or vague criteria shall**

1 not be used in determining whether a prospective student is granted acceptance  
2 into the institution or a program of study at the institution.

3 B.(1) A public postsecondary education institution shall not provide  
4 preferential treatment based on a student's or a student's family member's race,  
5 sex, or national origin for the awarding of scholarships, grants, or financial aid  
6 of any type, unless the donor or aid program requires the preferential  
7 treatment.

8 (2) No scholarship, grant, or financial aid funded with any state or  
9 institutional monies shall include terms that provide preferential treatment  
10 based on race, sex, or national origin.

11 (3) By November 1, 2023, each public postsecondary institution shall  
12 provide a report to the Senate Committee on Education and the House  
13 Committee on Education on each scholarship, grant, or financial aid program  
14 available for students that requires the consideration of a student's or a  
15 student's family member's race, sex, or national origin and shall identify the  
16 funding mechanism for each.

17 C. A student may bring suit in the district court for the parish in which  
18 an action in violation of this Section occurred for the issuance of a writ of  
19 mandamus or injunctive or declaratory relief to require compliance with the  
20 provisions of this Section, together with reasonable attorney fees and costs.

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

---

SB 128 Original

DIGEST  
2023 Regular Session

Morris

Proposed law prohibits public postsecondary education institutions from using information relative to an applicant's or an applicant's family member's race, sex, or national origin in making admissions decisions for the institution or a program of study.

Proposed law requires each public postsecondary education institution to clearly state the criteria used in the institution's admissions processes in admissions documents and on the institution's admissions website. Prohibits the use of subjective or vague criteria in the admissions process.

Proposed law prohibits public postsecondary education institutions from using information relative to an applicant's or an applicant's family member's race, sex, or national origin in

awarding of scholarships, grants, or other financial aid, unless the aid program requires the preferential treatment.

Proposed law prohibits a scholarship, grant, or financial aid program funded with any state or institutional monies from including terms that provide preferential treatment based on race, sex, or national origin.

Proposed law requires each public postsecondary institution to provide a report to the Senate and House education committees on the aid programs that require the consideration of a student's race, sex, or national origin and to identify the funding mechanism for each aid program.

Proposed law provides that a student may seek a writ of mandamus or injunctive relief, together with attorney fees and costs, to require compliance with proposed law.

Effective August 1, 2023.

(Adds R.S. 17:3153)