

2025 Regular Session

HOUSE BILL NO. 685 (Substitute for House Bill No. 421 by Representative Chenevert)

BY REPRESENTATIVE CHENEVERT

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

STATE AGENCIES: Provides relative to diversity, equity, and inclusion in state agencies

1 AN ACT

2 To enact Part XV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 17:3399.51, and Chapter 23 of Title 49 of the Louisiana Revised
4 Statutes of 1950, to be comprised of R.S. 49:1601, relative to state agencies; to
5 prohibit certain agency programs and practices related to diversity, equity, and
6 inclusion; to require public postsecondary education institutions to take certain
7 actions related to diversity-, equity-, and inclusion-related coursework; to require
8 reports to the presiding officers of the legislature; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part XV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of
11 1950, comprised of R.S. 17:3399.51, is hereby enacted to read as follows:

12 Part XV. DIVERSITY, EQUITY, AND INCLUSION

13 §3399.51. Mandatory undergraduate coursework

14 A. As used in this Section:

15 (1) "Public institution" means any public postsecondary education
16 institution.

17 (2)(a) "DEI-related instructional content" means any of the following:

18 (i) Instructional content that relates to critical race theory, white fragility,
19 white guilt, systemic racism, institutional racism, anti-racism, systemic bias, implicit

1 bias, intersectionality, gender identity, allyship, race-based reparations, or race-based
2 privilege.

3 (ii) Instructional content that promotes the differential treatment of any
4 individual or group of individuals based on race or ethnicity, imputed bias, or other
5 ideology related to diversity, equity, or inclusion.

6 (iii) Any course with a course description, course overview, course
7 objectives, proposed student learning outcomes, written examinations, or written or
8 oral assignments that include content described in Items (i) and (ii) of this
9 Subparagraph and for which the student will receive a grade.

10 (b) "DEI-related instructional content" does not include any of the following:

11 (i) The identification or discussion of historical movements, ideologies, or
12 instances of racial hatred or discrimination including but not limited to slavery,
13 Indian removal, the Holocaust, or Japanese-American internment.

14 (ii) The identification or discussion of genetic predispositions or tendencies
15 in epidemiology or physiology or any other part of instruction required in medical,
16 allied health, or mental health related education, biology, or licensure that does not
17 posit race-based injustice, discrimination, or oppression.

18 (iii) The identification or discussion of differences between the biological
19 sexes or bona fide qualifications based on biological sex that are reasonably
20 necessary to the normal operation of public institutions.

21 (iv) Programming explicitly required by state or federal anti-discrimination
22 laws or an applicable court order or the identification of the provisions of anti-
23 discrimination law or a court order.

24 B.(1) No later than May 30, 2026, each public postsecondary education
25 management board shall adopt a plan of specific steps and measures to ensure that
26 each institution under its supervision and management does not require DEI-related
27 instructional content in undergraduate academic degree programs, including general
28 education, and major, minor, or certificate requirements except as provided in
29 Subsection C of this Section.

1 (2) Upon adoption of the plan or any subsequent amendment or change
2 thereto, the public postsecondary education management board shall submit a copy
3 of the adopted plan to the speaker of the House of Representatives and the president
4 of the Senate.

5 C. Undergraduate academic program requirements of any major, minor,
6 certificate, or department whose title clearly establishes its course of study as
7 primarily focused on racial, ethnic, or gender studies may be exempted from
8 Subsection B of this Section.

9 D.(1) Nothing in this Section shall be construed to limit the academic
10 freedom of any individual faculty member to direct the instruction of his own class,
11 including the selection of instructional materials, classroom discussion topics, and
12 assignments, nor to limit the free discussion of ideas in a classroom setting.
13 Instruction that references diversity, equity, or inclusion-related topics shall not be
14 construed as a violation of this Section if such content is included at the discretion
15 of the faculty member, is not prescribed by the institution as a program requirement,
16 and is part of a broader pedagogical objective.

17 (2) Nothing in this Section shall be construed to limit any programming
18 explicitly required by, and limited to, the public institution's obligations to comply
19 with Title IX of the Education Amendments of 1972, as amended; the Age
20 Discrimination in Employment Act, as amended; Title VI of the Civil Rights Act of
21 1964; Title III of the Higher Education Act of 1965; the Americans with Disabilities
22 Act, as amended; or any other state or federal law or applicable court order.

23 (3) It is the intent of the Legislature of Louisiana that the provisions of this
24 Section apply only to institutionally prescribed or mandated curricular content and
25 shall not restrict, limit, or chill the constitutionally protected academic freedom of
26 faculty members. This Section shall not be interpreted to interfere with individual
27 faculty discretion regarding course content, classroom dialogue, or academic
28 research, in accordance with the First Amendment of the Constitution of the United
29 States.

1 Section 2. Chapter 23 of Title 49 of the Louisiana Revised Statutes of 1950,
2 comprised of R.S. 49:1601, is hereby enacted to read as follows:

3 CHAPTER 23. DIVERSITY, EQUITY, AND INCLUSION

4 §1601. Diversity, equity, and inclusion

5 A. As used in this Section:

6 (1) The terms "agency", "department", and "office", shall have the meanings
7 provided in R.S. 36:3.

8 (2) "Diversity, equity, and inclusion" or "DEI" means any of the following:

9 (a) Any effort to influence hiring or employment practices with respect to
10 race, color, ethnicity, sex, national origin, gender identity, or sexual orientation,
11 other than through the use of hiring processes to reduce gender-based or race-based
12 biases in accordance with any applicable state and federal anti-discrimination laws.

13 (b) Any effort to promote or implement policies, procedures, or trainings
14 designed in reference to race, color, ethnicity, national origin, gender identity, or
15 sexual orientation.

16 (c) Any effort to promote differential treatment of or provide special services
17 or benefits to individuals on the basis of race, color, ethnicity, sex, national origin,
18 gender identity, or sexual orientation.

19 (d) Any program, activity, initiative, event, instruction, action, measure,
20 factor, or policy that classifies or references individuals on the basis of race.

21 B. Agencies, departments, public postsecondary education institutions, and
22 offices are prohibited from the following:

23 (1) Maintaining or creating any initiative, training, or office related to DEI.

24 (2) Employing, contracting, engaging, or hiring an individual to perform
25 functions related to DEI.

26 (3) Requiring or soliciting an applicant, employee, or student to provide a
27 written or oral statement regarding DEI.

28 (4)(a) Extending any preferential treatment based on race, color, ethnicity,
29 sex, national origin, gender identity, or sexual orientation in making decisions at

1 public postsecondary education institutions on admissions, state-supported financial-
2 aid, or other services or benefits.

3 (b) This Paragraph shall not affect decisions regarding privately funded
4 scholarships.

5 (5) Giving differential or preferential treatment to an applicant, employee,
6 or student based on views expressed or actions taken related to DEI.

7 C. Nothing in this Section shall be construed to do any of the following:

8 (1) Conflict with or prohibit compliance with Title IX of the Education
9 Amendments of 1972, as amended; the Age Discrimination in Employment Act, as
10 amended; Title VI of the Civil Rights Act of 1964; Title III of the Higher Education
11 Act of 1965; the Americans with Disabilities Act, as amended; or any other state or
12 federal law or applicable court order.

13 (2) Limit any programs, divisions, or activities that assist in the investigation
14 or prosecution of discrimination complaints in compliance with the federal
15 Workforce Innovation and Opportunity Act or any successor act.

16 (3) Conflict with, restrict, limit, or infringe upon speech protected by the
17 First Amendment of the Constitution of the United States.

18 (4) Prohibit bona fide qualifications based on sex that are reasonably
19 necessary to the normal operation of an agency, department, public postsecondary
20 education institution, or office.

21 (5) Prohibit the celebration of any holiday, observance, commemoration, or
22 remembrance.

23 (6) Restrict or prohibit any of the following activities of a public
24 postsecondary education institution:

25 (a) Academic course instruction.

26 (b) Scholarly research or creative works by faculty, students, and research
27 personnel.

28 (c) Efforts and data gathering to improve student success or credential
29 completion, or to meet workforce expectations.

- 1 (d) Activities of registered or recognized student organizations.
- 2 (e) Arrangements for guest speakers and performers with short-term
- 3 engagements.
- 4 (f) Mental or physical health services provided by licensed professionals.
- 5 (g) Student recruitment or admissions.
- 6 D. Each agency, department, and office, including public postsecondary
- 7 education institutions, shall no later than May 30, 2026, and annually thereafter
- 8 submit to the speaker of the House of Representatives and the president of the Senate
- 9 a report of any efforts taken to comply with this Section.

10 Section 3. Notwithstanding any law to the contrary, the title of any department,
 11 major, minor, or certificate program in effect on the effective date of this Act shall not be
 12 altered or renamed to establish an emphasis on racial, ethnic, or gender studies.

13 Section 4. It is the intent of the Legislature of Louisiana that the provisions of Section
 14 1 of this Act apply only to institutionally prescribed or mandated curricular content and shall
 15 not restrict, limit, or chill the constitutionally protected academic freedom of family
 16 members. Section 1 of this Act shall not be interpreted to interfere with individual faculty
 17 discretion regarding course content, classroom dialogue, or academic research, in accordance
 18 with the First Amendment of the Constitution of the United States.

19 Section 5. If any provision of this Act or the application thereof is held invalid, such
 20 invalidity shall not affect other provisions or applications of this Act which can be given
 21 effect without the invalid provisions or applications, and to this end the provisions of this
 22 Act are hereby declared severable.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 685 Reengrossed 2025 Regular Session Chenevert

Abstract: Prohibits certain state agency programs and practices related to diversity, equity, and inclusion and requires public postsecondary education institutions to take certain actions related to diversity-, equity-, and inclusion-related coursework.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

State executive branch agency programs and practices

Proposed law defines "diversity, equity, and inclusion", or "DEI", as the following:

- (1) Any effort to influence hiring or employment practices with respect to race, color, ethnicity, sex, national origin, gender identity, or sexual orientation, other than through the use of hiring processes to reduce gender-based or race-based biases in accordance with any applicable state and federal anti-discrimination laws.
- (2) Any effort to promote or implement policies, procedures, or trainings designed in reference to race, color, ethnicity, national origin, gender identity, or sexual orientation.
- (3) Any effort to promote differential treatment of or provide special services or benefits to individuals on the bases of race, color, ethnicity, sex, national origin, gender identity, or sexual orientation.
- (4) Any program, activity, initiative, event, instruction, action, measure, factor, or policy that classifies or references individuals on the basis of race.

Proposed law provides that all boards, commissions, departments, agencies, offices, officers, and other instrumentalities within the executive branch of state government, and all public postsecondary education institutions are prohibited from the following:

- (1) Maintaining or creating any initiative, training, or office related to DEI.
- (2) Employing, contracting, engaging, or hiring an individual to perform functions related to DEI.
- (3) Requiring or soliciting an applicant, employee, or student to provide a written or oral statement regarding DEI.
- (4) Extending any preferential treatment based on race, color, ethnicity, sex, national origin, gender identity, or sexual orientation in making decisions at public postsecondary education institutions on admissions, state-supported financial-aid, or other services or benefits, except for decisions regarding privately funded scholarships.
- (5) Giving differential or preferential treatment to an applicant, employee, or student based on views expressed or actions taken related to DEI.

Proposed law provides that proposed law shall not do any of the following:

- (1) Conflict with or prohibit compliance with Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act, Title VI of the Civil Rights Act of 1964, Title III of the Higher Education Act of 1960, the Americans with Disabilities Act, or any other state or federal law or applicable court order.
- (2) Limit any programs, divisions, or activities that assist in the investigation or prosecution of discrimination complaints in compliance with the federal Workforce Innovation and Opportunity Act or any successor act.
- (3) Conflict with, restrict, limit, or infringe upon speech protected by the First Amendment of the U.S. Constitution.
- (4) Prohibit bona fide qualifications based on sex that are reasonably necessary to the normal operation of the entity.

- (5) Prohibit the celebration of any holiday, observance, commemoration, or remembrance.

Proposed law provides that proposed law shall not restrict or prohibit any of the following activities of a public postsecondary education institution:

- (1) Academic course instruction.
- (2) Scholarly research or creative works by faculty, students, and research personnel.
- (3) Efforts and data gathering to improve student success or credential completion or to meet workforce expectations.
- (4) Activities of registered or recognized student organizations.
- (5) Arrangements for guest speakers and performers with short-term engagements.
- (6) Mental or physical health services provided by licensed professionals.
- (7) Student recruitment or admissions.

Proposed law requires each agency, department, and office to submit to the legislature a report of efforts taken to comply with proposed law on May 30, 2026, and annually thereafter.

Coursework at public postsecondary education institutions

Proposed law defines "DEI-related instructional content" as the following:

- (1) Content related to diversity, equity, or inclusion that relates to any of the following topics: critical race theory, white fragility, white guilt, systemic racism, institutional racism, anti-racism, systemic bias, implicit bias, intersectionality, gender identity, allyship, race-based reparations, or race-based privilege.
- (2) Content that promotes the differential treatment of any individual or group of individuals based on race or ethnicity, imputed bias, or other ideology related to diversity, equity, or inclusion.
- (3) Any course with a course description, course overview, course objectives, proposed student learning outcomes, written examinations, or written or oral assignments that include DEI-related content and for which the student will receive a grade.

Proposed law provides that DEI-related instructional content does not include any of the following:

- (1) The identification or discussion of historical movements, ideologies, or instances of racial hatred or discrimination including but not limited to slavery, Indian removal, the Holocaust, or Japanese-American internment.
- (2) The identification or discussion of genetic predispositions or tendencies in epidemiology or physiology or any other part of instruction required in medical, allied health, or mental health education, biology, or licensure that does not posit race-based injustice, discrimination, or oppression.
- (3) The identification or discussion of differences between the biological sexes or bona fide qualifications based on biological sex that are reasonably necessary to the normal operation of public institutions.

- (4) Programming explicitly required by state or federal anti-discrimination laws or an applicable court order or the identification of the provisions of anti-discrimination law or a court order.

Proposed law requires each public postsecondary education management board to adopt a plan of specific steps and measures to ensure that each institution under its supervision and management does not require DEI-related instructional content in undergraduate academic degree programs, including general education, and major, minor, or certificate requirements. However, proposed law does authorize undergraduate academic program requirements of any major, minor, certificate, or department whose title clearly establishes its course of study as primarily focused on racial, ethnic, or gender studies.

Proposed law requires the public postsecondary education management board to adopt a plan no later than May 30, 2026, and submit a copy of the plan and any changes thereto to the speaker of the House of Representatives and the president of the Senate.

Proposed law provides that proposed law shall not be construed to limit the academic freedom of any individual faculty member to direct the instruction of his own class, nor limit the free discussion of ideas in a classroom setting. Provides that instruction that references diversity, equity, or inclusion-related topics shall not be construed as a violation of proposed law if such content is included at the discretion of the faculty member, is not prescribed by the institution as a program requirement, and is part of a broader pedagogical objective.

Proposed law provides that proposed law shall not be construed to limit any programming explicitly required by, and limited to, the institution of higher education's obligations to comply with Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act, Title VI of the Civil Rights Act of 1964, Title III of the Higher Education Act of 1965, the Americans with Disabilities Act, or any other state or federal law or applicable court order.

Proposed law provides that the title of any existing department, major, minor, or certificate program shall not be altered or renamed to establish an emphasis on racial, ethnic, or gender studies.

(Adds R.S. 17:3399.51 and R.S. 49:1601)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove unconscious bias and the use of pronouns from the definition of "DEI-related instructional content".
2. Add allied health and mental health related education as an exception to the definition of "DEI-related instructional content".
3. Provide that proposed law shall not affect decisions regarding privately funded scholarships.
4. Provide a deadline for a public postsecondary education institution board to adopt a plan required by proposed law and require submission of the plan to the legislature.
5. Provide an exception for efforts and data gathering conducted to meet workforce expectations.
6. Provide for each agency, department, and office to submit to the legislature a report of any efforts taken to comply with proposed law.

7. Provide for legislative intent.