

# PROPOSED AMENDMENT

## SB 367 # 12

### DIGEST

PROPOSED COMMITTEE AMENDMENT TO SB 367. Provides that a contract between the state or a political or civil subdivision of the state and any school, educational, or charitable religious institution owned or conducted by or affiliated with a church or religious institution is not required to contain a covenant not to discriminate against an employee or applicant for employment to be employed in the performance of the contract because of the individual's religion.

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- 1           Page 77, between lines 35 and 36, begin a new paragraph and insert:  
2           "SECTION 81. IC 22-9-1-10 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. **(a) Except as**  
4           **provided in subsection (b)**, every contract to which the state or any of  
5           its political or civil subdivisions is a party, including franchises granted  
6           to public utilities, shall contain a provision requiring the contractor and  
7           **his any** subcontractors **of the contractor** not to discriminate against  
8           any employee or applicant for employment to be employed in the  
9           performance of ~~such~~ **the** contract, with respect to ~~his~~ **the individual's**  
10          hire, tenure, terms, conditions or privileges of employment or any  
11          matter directly or indirectly related to employment, because of ~~his~~ **the**  
12          **individual's** race, religion, color, sex, disability, national origin, or  
13          ancestry. Breach of this covenant may be regarded as a material breach  
14          of the contract.  
15          **(b) A contract between the state or a political or civil**  
16          **subdivision of the state and an institution described in section**  
17          **3(h)(2) of this chapter is not required to contain a covenant not to**  
18          **discriminate against an employee or applicant for employment to**  
19          **be employed in the performance of the contract, with respect to the**  
20          **individual's hire, tenure, terms, conditions or privileges of**  
21          **employment or any matter directly or indirectly related to**  
22          **employment, because of the individual's religion."**  
23          Renumber all SECTIONS consecutively.  
            (Reference is to SB 367 as reprinted February 4, 2014.)