

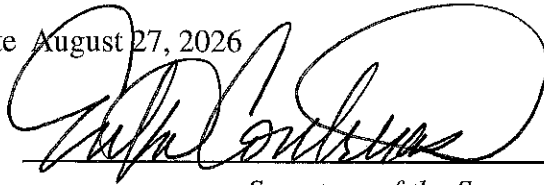
Assembly Constitutional Amendment No. 7

Adopted in Assembly August 30, 2026



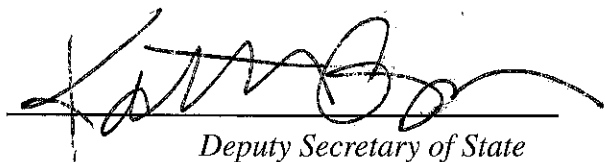
Chief Clerk of the Assembly

Adopted in Senate August 27, 2026



Secretary of the Senate

This resolution was received by the Secretary of State this
10th day of September, 2026, at 1
o'clock p. M.



Deputy Secretary of State

RESOLUTION CHAPTER _____

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 31 of Article I thereof, relating to government preferences.

LEGISLATIVE COUNSEL'S DIGEST

ACA 7, Jackson. Government preferences.

The California Constitution, pursuant to provisions enacted by the Proposition 209, an initiative measure adopted by the voters at the November 5, 1996, statewide general election, prohibits 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 the operation of public employment, public education, or public contracting, as specified.

This measure, the Closing the Student Opportunity and Achievement Gap Act, would, instead, limit the above prohibition to the operation of public employment, public higher education admissions and enrollment, and public contracting. The measure would require that it appear on the ballot at the November 7, 2028, statewide general election.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its 2025–26 Regular Session commencing on the second day of December 2024, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows, and that this measure shall appear on the ballot at the November 7, 2028, statewide general election:

SECTION 1. This measure shall be known, and may be cited, as the Closing the Student Opportunity and Achievement Gap Act.

SEC. 2. The Legislature finds and declares both of the following:

(1) Documented, persistent, racial equity gaps in educational opportunity and outcomes in California's transitional kindergarten to 12th grade, inclusive, public schools and community colleges

undermine equal educational access and the State's ability to provide all students with a meaningful opportunity to succeed because current race-neutral alternatives have failed to close the racial equity gap in educational opportunity and success in California's public schools.

(2) Therefore, to the maximum extent permitted by federal law and the United States Constitution, the State has a compelling governmental interest in closing those racial equity gaps in California schools through race-conscious, evidence-based measures that expand educational opportunity and eliminate barriers to access and success, provided that nothing herein shall be construed to authorize the State to discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in violation of this section of the State Constitution or in violation of the United States Constitution.

SEC. 3. That Section 31 of Article I thereof is amended to read:

SEC. 31. (a) The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public higher education admissions and enrollment, or public contracting.

(b) This section shall apply only to action taken after the section's effective date and is limited to the areas of public employment, public higher education admissions and enrollment, and public contracting.

(c) This section shall not be interpreted as prohibiting bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public higher education admissions and enrollment, or public contracting.

(d) This section shall not be interpreted as invalidating any court order or consent decree that is in force as of the effective date of this section.

(e) This section shall not be interpreted as prohibiting action that must be taken to maintain or establish eligibility for any federal program, where ineligibility would result in a loss of federal funds to the State.

(f) For the purposes of this section, "State" shall include, but not necessarily be limited to, the State itself, any city, county, city and county, public university system, including the University of

California, community college district, school district, special district, or any other political subdivision or governmental instrumentality of or within the State.

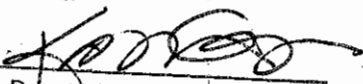
(g) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of then-existing California antidiscrimination law.

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

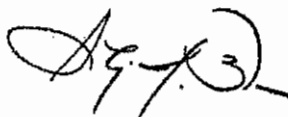
FILED
in the office of the Secretary of State
of the State of California

SEP 10 2026

By


Deputy Secretary of State

Attest:



Secretary of State