

AMENDED IN ASSEMBLY JUNE 23, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

Assembly Joint Resolution

No. 45

Introduced by Assembly Member Chiu

(Coauthors: Assembly Members Alejo, Arambula, Atkins, Bloom, Bonilla, Bonta, Brown, Burke, Calderon, Campos, Chang, Chau, Chu, Cooley, Cooper, Dababneh, Daly, Dodd, Eggman, Frazier, Cristina Garcia, Gatto, Gipson, Gomez, Gonzalez, Gordon, Roger Hernández, Holden, Irwin, Jones-Sawyer, Levine, Low, Maienschein, McCarty, Medina, Mullin, Nazarian, Quirk, Rendon, Ridley-Thomas, Rodriguez, Salas, Santiago, Mark Stone, Thurmond, Ting, Weber, Williams, and Wood)

June 9, 2016

Assembly Joint Resolution No. 45—Relative to civil rights.

LEGISLATIVE COUNSEL'S DIGEST

AJR 45, as amended, Chiu. Civil rights: the Equality Act.

This act would urge the United States Congress to enact the Equality Act of 2015, which would amend the Civil Rights Act of 1964 to include protections on the basis of sexual orientation, gender identity, and sex for, among other things, employment, housing, public education, and public accommodations.

Fiscal committee: no.

1 WHEREAS, While the Fourteenth Amendment of the United
2 States Constitution guarantees all citizens equal protection under
3 the law and the Civil Rights Act of 1964 outlaws discrimination
4 based on race, color, religion, sex, or national origin, no federal
5 law enumerates discrimination protections for lesbian, gay,

1 bisexual, and transgender (LGBT) Americans. While the United
2 States Supreme Court’s ruling in Obergefell v. Hodges (2015) 192
3 L.Ed.2d 609 brought marriage equality to all 50 states, LGBT
4 Americans still face discrimination in their daily lives and remain
5 at risk of being fired or denied services on the basis of who they
6 are or who they love because the majority of states still lack
7 explicit, comprehensive nondiscrimination protections; and

8 WHEREAS, The Equality Act of 2015 amends the Civil Rights
9 Act of 1964 to include sex, sexual orientation, and gender identity
10 among the prohibited categories of discrimination, effectively
11 protecting LGBT Americans in the areas of employment, housing,
12 public accommodations, public education, access to federal
13 funding, access to credit, and the opportunity to serve on a jury.
14 The 2015 Equality Act’s comprehensive approach to updating the
15 Civil Rights Act of 1964 would include protections for many
16 Americans beyond the LGBT community; and

17 WHEREAS, Despite the 1964 Civil Rights Act’s prohibition
18 against gender discrimination in certain areas, such as employment
19 and housing, women still face discrimination in public facilities
20 and in receiving federal financial assistance. The Equality Act of
21 2015 would ensure that women have equal access to public
22 accommodations and public funds, and that federal funding could
23 not be spent in a way that encourages discrimination based on sex;
24 and

25 WHEREAS, While many public accommodations are considered
26 protected places under current law, people of color still face
27 discrimination in places that include stores, banks, transportation
28 services, and health care services. The Equality Act of 2015 updates
29 the federal definition of public accommodations to ensure all
30 individuals are able to fully access and utilize social and public
31 places regardless of who they are; and

32 WHEREAS, In a growing number of states, Religious Freedom
33 Restoration Acts (RFRAs) and similar laws are being invoked in
34 an attempt to justify discrimination against the LGBT community.
35 The Equality Act of 2015 retains exemptions that religious
36 organizations and schools already enjoy, but would ensure that
37 religion could not be used as a justification for refusing service on
38 the basis of race, color, religion, sex, national origin, sexual
39 orientation, or gender identity; now, therefore, be it

1 *Resolved by the Assembly and the Senate of the State of*
2 *California, jointly,* That the Legislature calls upon the United States
3 Congress to pass the Equality Act of 2015, which would amend
4 the Civil Rights Act of 1964 to include protections on the basis of
5 sexual orientation, gender identity, and sex in the areas of
6 employment, housing, public accommodations, public education,
7 federal funding, credit, and the jury system; and be it further
8 *Resolved,* That the Chief Clerk of the Assembly transmit copies
9 of this resolution to the Speaker of the House of Representatives,
10 to the Majority Leader of the Senate, and to each Senator and
11 Representative from California in the Congress of the United
12 States.

O