

Assembly Concurrent Resolution

No. 67

**Introduced by Assembly Members Mullin, Bonta, Chiu, Thurmond,
and Ting
(Principal coauthor: Assembly Member Low)
(Coauthors: Assembly Members Eggman and Levine)**

May 11, 2015

Assembly Concurrent Resolution No. 67—Relative to ballot measures.

LEGISLATIVE COUNSEL’S DIGEST

ACR 67, as introduced, Mullin. Ballot measures.

This measure would provide that the Legislature stands in moral and legal objection to the ballot measure proposing to enact the Sodomite Suppression Act, and to any other ballot measure that seeks to inflict harm on innocent persons or diminish current civil rights protections. This measure also would provide that the Legislature calls upon the residents of the State of California to reject bigotry and hate speech.

Fiscal committee: no.

- 1 WHEREAS, The Legislature affirms the right of free speech,
- 2 no matter how abhorrent; and
- 3 WHEREAS, The Legislature objects to and denounces the
- 4 introduction of a ballot measure that calls for violence, harm, and
- 5 intimidation to be caused to another person due to that person’s
- 6 sexual orientation or gender identity; and
- 7 WHEREAS, A proposed ballot measure, which would enact the
- 8 Sodomite Suppression Act, was submitted to the Attorney General
- 9 for title and summary on February 26, 2015; and

1 WHEREAS, The Sodomite Suppression Act would require a
2 person to be put to death if he or she engages in specified conduct
3 with another person of the same gender; would make it a crime to
4 distribute, perform, or transmit “sodomistic propaganda,” as
5 defined; and would prohibit a person from serving in any public
6 office or in public employment, or from enjoying any public
7 benefit, if he or she is a “sodomite,” “espouses sodomistic
8 propaganda,” or “belongs to any group that does;” and

9 WHEREAS, Sexual orientation and gender identity, each a
10 protected class, are characteristics intrinsic to an individual, and
11 the proposed ballot measure seeks to inflict great bodily harm and
12 to intimidate individuals based on these innate characteristics; and

13 WHEREAS, The Legislature finds it abhorrent and repulsive
14 that a citizen of this state would seek to introduce a ballot initiative
15 that calls for the execution and intimidation of another based on
16 a personal characteristic, which is inherent and unchangeable; and

17 WHEREAS, The contents of the recently proposed ballot
18 measure are totally, completely, and wholly antithetical to the
19 principles of a civilized society for which this Legislature stands
20 and upholds; and

21 WHEREAS, The proposed ballot measure is reminiscent of
22 actions inflicted on innocent persons under various oppressive
23 regimes throughout history; and

24 WHEREAS, The lesbian, gay, bisexual, and transgender (LGBT)
25 community includes our colleagues, staff, daughters, sons, family,
26 friends, neighbors, and the constituents that we have the privilege
27 to serve; and

28 WHEREAS, In 1978, Ronald Reagan joined California voters
29 in opposing the Briggs Initiative that would have banned gays and
30 lesbians, and possibly anyone who supported gay rights, from
31 working in California’s public schools; and

32 WHEREAS, The Legislature has an affirmative duty to prevent
33 injustices by protecting innocent people; and

34 WHEREAS, Countless patriots have stood firm in the battle for
35 civil rights, most notably Dr. Martin Luther King Jr., who famously
36 wrote that “[i]njustice anywhere is a threat to justice everywhere;”
37 and

38 WHEREAS, This proposed ballot measure goes beyond
39 repealing civil rights of the LGBT community, including the right
40 to marry and the right to adopt regardless of sexual orientation or

gender identity, as it condones and legalizes murder, contrary to established California law; and

WHEREAS, The Legislature rejects any policy, including the policy of affording businesses the right to discriminate against the LGBT community and the policy supporting the repugnant practice of so-called “reparative therapy,” that seeks to punish individuals who are innocent of any wrongdoing and simply for innate characteristics; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature stands in moral and legal objection to the ballot measure proposing to enact the Sodomite Suppression Act, and to any other ballot measure that seeks to inflict harm on innocent persons or diminish current civil rights protections; and be it further

Resolved, That the Legislature calls upon the residents of the State of California to reject bigotry and hate speech; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.