

AMENDED IN ASSEMBLY JUNE 22, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

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~~ *Levine, Achadjian, Alejo, Atkins, Baker, Bigelow, Bloom, Bonilla, Brown, Burke, Calderon, Campos, Chang, Chau, Chávez, Chu, Cooley, Cooper, Dababneh, Daly, Dodd, Frazier, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gonzalez, Gordon, Gray, Grove, Hadley, Harper, Roger Hernández, Holden, Irwin, Jones, Jones-Sawyer, Kim, Lackey, Linder, Lopez, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Nazarian, Obernolte, O'Donnell, Olsen, Patterson, Perea, Quirk, Rendon, Ridley-Thomas, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Wagner, Waldron, Weber, Wilk, and Williams*)

May 11, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

ACR 67, as amended, 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

10 WHEREAS, The Sodomite Suppression Act would require a
11 person to be put to death if he or she engages in specified conduct
12 with another person of the same gender; would make it a crime to
13 distribute, perform, or transmit "sodomistic propaganda," as
14 defined; and would prohibit a person from serving in any public
15 office or in public employment, or from enjoying any public
16 benefit, if he or she is a "sodomite," "espouses sodomistic
17 propaganda," or "belongs to any group that does;" and

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

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

26 WHEREAS, The contents of the recently proposed ballot
27 measure are totally, completely, and wholly antithetical to the
28 principles of a civilized society for which this Legislature stands
29 and upholds; and

30 WHEREAS, The proposed ballot measure is reminiscent of
31 actions inflicted on innocent persons under various oppressive
32 regimes throughout history; and

33 WHEREAS, The lesbian, gay, bisexual, and transgender (LGBT)
34 community includes our colleagues, staff, daughters, sons, family,
35 friends, neighbors, and the constituents that we have the privilege
36 to serve; and

37 WHEREAS, In 1978, Ronald Reagan joined California voters
38 in opposing the Briggs Initiative that would have banned gays and

1 lesbians, and possibly anyone who supported gay rights, from
2 working in California’s public schools; and

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

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

9 WHEREAS, This proposed ballot measure goes beyond
10 repealing civil rights of the LGBT community, including the right
11 to marry and the right to adopt regardless of sexual orientation or
12 gender identity, as it condones and legalizes murder, contrary to
13 established California law; and

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

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

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

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