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ACR-67 Ballot measures. (2015-2016)

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Assembly Concurrent Resolution No. 67

CHAPTER 171

Relative to ballot measures.

[Filed with Secretary of State September 10, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 67, 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

WHEREAS, The Legislature affirms the right of free speech, no matter how abhorrent; and

WHEREAS, The Legislature objects to and denounces the introduction of a ballot measure that calls for violence, harm, and intimidation to be caused to another person due to that person's sexual orientation or gender identity; and

WHEREAS, A proposed ballot measure, which would enact the Sodomite Suppression Act, was submitted to the Attorney General for title and summary on February 26, 2015; and

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

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

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

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

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

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

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

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

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

WHEREAS, This proposed ballot measure goes beyond repealing civil rights of the LGBT community, including the right 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.