

Religious Liberties Under Fire in Calif. Senate Bill

California's Senate on Wednesday approved legislation that would remove tax-exempt status from nonprofit organizations like the Boy Scouts of America (BSA) for refusing to allow openly homosexual adults.

Senate Bill 323 would revoke tax-exempt status from any nonprofit youth organization, including private schools, that refuses to hire or allow as leaders anyone whose sexual conducts goes against their beliefs.

"Last week, the Boy Scouts of America compromised their constitutional right to choose who they may allow as members into the organization," explains Karen England, executive director of Capitol Resource Institute. "The BSA council voted to allow homosexual boys into the membership but did not change the policy regarding homosexual adult members. Immediately after the vote was announced, Equality California released a statement rejecting the Scouts' failure to embrace full equality."

Though the bill does not specifically mention the Boy Scouts, a close look at the legislation and discussion among senators make clear that it targets the group.

"We've given the Boy Scouts ample time to solve their discrimination problem. And they've chosen a path that still leads to discrimination," said Sen. Ricardo Lara, the bill's author, on Wednesday. "While it is a step in the right direction, continuing a ban on [lesbian, gay, bisexual and transgender] adults is based on absurd assumptions and stereotypes that perpetuate hate and homophobia."

While introducing the bill, Lara said, "They are out of line with the values of California and should be ineligible for

a tax benefit paid for by all Californians. SB 323 brings our laws into line with our values.”

England says Lara did not speak for everyone when making this claim.

“The bill is about government vilifying our values and abusing its power to penalize, through taxation, those who hold different beliefs and values. SB 323 is an unprecedented intrusion by the government and a far-reaching assault on freedoms of association, speech and religion,” she says.

Deron Smith, a BSA spokesman, says the organization will continue serving the 180,000 Scouts in California.

“Today, more than ever, youth need the character and leadership programs of Scouting,” Smith says. “We are disappointed with anything that impacts our ability to serve more youth.”

SB 323 received the bare minimum of votes required, passing the Senate 27-9. Because it changes California’s tax code, a two-thirds majority was required. The measure will now go to the Assembly for consideration.