[Denouncing Indiana State Senate Bill 101 (Kruse, Schneider, and Steel) - Discrimination Against Lesbian, Gay, Bisexual and Transgender Community]

Resolution denouncing Indiana State Senate Bill 101, co-authored by Senators Kruse, Schneider, and Steele, a law that permits discrimination against the lesbian, gay, bisexual and transgender community under the guise of religious freedom.

WHEREAS, On March 26, 2015, Indiana Governor Mike Pence signed Indiana State Senate Bill (SB) 101 into law, allowing individuals and businesses the right to refuse services to lesbian gay, bisexual and transgender (LGBT) individuals under the guise of religious freedom; and

WHEREAS, SB 101 actively abets discrimination by codifying the right to refuse service if an individual or business believes doing so would violate the practice and observance of his or her religion; and

WHEREAS, The Board of Supervisors respects the freedom of religion, but this freedom cannot be used as an excuse for individuals to discriminate against people based on sexual orientation or gender identity, as inferior or less deserving of services and accommodations than others; and

WHEREAS, SB 101 is dangerous because it allows individuals the unfettered ability to act upon personal animus against LGBT people, as long as they claim offense to their religious beliefs; and

WHEREAS, SB 101 singles out the LGBT community for negative treatment and removal of legal protections, a practice found unconstitutional by the U.S. Supreme Court; and

WHEREAS, The signing of SB 101 into law sends a clear message that Indiana is an intolerant and unwelcoming place for LGBT persons; and
WHEREAS, The State of Indiana does not have a state law specifically protecting the
LGBT community from discrimination; and

WHEREAS, Civil rights leaders, elected officials, businesses, the tourism industry and
individuals across the country are repudiating SB 101 as immoral, bad public policy, and
economically detrimental; and

WHEREAS, Mayor Ed Lee directed all City Departments under his authority to bar any
publicly-funded City employee travel to the State of Indiana that is not essential to public
health and safety; and

WHEREAS, Salesforce CEO Marc Benioff announced that his company is cancelling
all required travel to Indiana by Salesforce employees to avoid facing potential discrimination
while in state; and

WHEREAS, Angie’s List put on hold an $18.5 million incentive package from
Indianapolis’ City-County Council to add 1,000 jobs over five years, until it fully understands
the implications of SB101 on its employees; and

WHEREAS, NCAA President Mark Emmert released a statement expressing concern
for how SB101 could affect student-athletes and employees, and that the NCAA intends to
examine the implications of this bill and how it might affect future events and their workforce;
and

WHEREAS, Apple CEO Tim Cook authored an op-ed in The Washington Post, stating
that SB101 would not only rationalize injustice, but also hurt job growth and the economic
vitality of the State of Indiana; and

WHEREAS, On April 2nd, Indiana Governor Mike Pence signed SB 50 - co-authored
by Senate President Young and Senator Crider – a clarification that provides protections for
LGBT customers, employees and tenants and effectively destroys the discriminatory intent of
SB 101; and

Supervisors Wiener; Campos, Cohen, Farrell, Avalos, Kim, Christensen, Tang, Breed, Mar, Yee
BOARD OF SUPERVISORS
WHEREAS, In response to the passage of SB 50, the governors of Washington, New York and Connecticut lifted their state-funded travel bans to the State of Indiana; and

WHEREAS, The mayors of San Francisco, New York City, Seattle, Portland and Oakland have also lifted their city-funded travel bans to the State of Indiana; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors condemns SB 101 as discriminatory toward the LGBT community; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors encourages the State of Indiana to pass a statewide non-discrimination law inclusive of the LGBT community; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors urges City Departments to implement a ban on publicly-funded travel to any other state that passes a version of SB 101 or law that would have the effect of codifying discrimination against LGBT individuals; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors calls on City Departments (1) to the extent practicable, and in instances where there is no significant additional cost to the City nor conflict with law, to refrain from entering into any new or amended contracts to purchase goods or services from any company that is headquartered in any state that passes a law discriminating against LGBT individuals, and (2) to review existing contracts for the purchase of goods and services with companies headquartered in such states and explore opportunities to discontinue those contracts consistent with the terms of those contracts and principles of fiscal responsibility; and, be it

FURTHER RESOLVED, That the Board of Supervisors encourages private San Francisco-based businesses to refrain from doing business with any state that passes a law discriminating against LGBT individuals or holding or participating in any conventions or
conferences in such states, and also urges San Francisco private citizens to avoid engaging in tourism in such states; and, be it

   FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to send a copy of this Resolution to Indiana Governor Mike Pence.
Resolution denouncing Indiana State Senate Bill 101, co-authored by Senators Kruse, Schneider, and Steele, a law that permits discrimination against the lesbian, gay, bisexual, and transgender community under the guise of religious freedom.

April 07, 2015 Board of Supervisors - CONTINUED
   Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 14, 2015 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
   Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 14, 2015 Board of Supervisors - ADOPTED AS AMENDED
   Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/14/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/24/15
Date Approved
I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

4/24/15
Date

File No.
150337