

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

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

6
7 WHEREAS, On March 26, 2015, Indiana Governor Mike Pence signed Indiana State
8 Senate Bill (SB) 101 into law, allowing individuals and businesses the right to refuse services
9 to lesbian gay, bisexual and transgender (LGBT) individuals under the guise of religious
10 freedom; and

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

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

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

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

23 WHEREAS, The signing of SB 101 into law sends a clear message that Indiana is an
24 intolerant and unwelcoming place for LGBT persons; and

25

1 WHEREAS, the State of Indiana does not have a state law specifically protecting the
2 LGBT community from discrimination; and

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

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

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

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

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

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

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

1 **WHEREAS, In response to the passage of SB 50, the governors of Washington,**
2 **New York and Connecticut lifted their state-funded travel bans to the State of Indiana;**
3 **and**

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

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

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

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

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

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

7 FURTHER RESOLVED, That that the San Francisco Board of Supervisors hereby
8 directs the Clerk of the Board to send a copy of this Resolution to Indiana Governor Mike
9 Pence.

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