



2009 Legislative Guide

Equality California's mission is to achieve equality for all LGBT Californians. One of the most important steps to attaining true equality is ensuring that the laws that govern our lives are fair and equitable.

Over the last 10 years, thanks to the active engagement of our members, EQCA has passed 52 pieces of legislation designed to advance our equality. This year we are sponsoring 14 pieces of legislation—six bills and eight resolutions—intended to move us closer to reaching our goal of equality by securing additional legal protections and rights for all segments of our diverse community.

Celebrating our History

Harvey Milk Day Bill | SB 572

Harvey Milk, the nation's first openly gay man elected to major political office, exemplified what it means to live openly and with integrity, setting the stage for many of the civil rights advances we see today. Harvey Milk Day would educate Californians about his courageous work to end discrimination against the LGBT community. The bill would require the governor to annually proclaim May 22nd as Harvey Milk Day, designating it as a "day of special significance" and paying tribute to the sacrifices Harvey Milk made to secure equal protection for all.

Author: Senator Mark Leno



Photo:
Daniel Nicoletta

“One of the surest ways to create a better tomorrow is by learning from the heroes of our past. Like César Chavez Day, Harvey Milk Day will help us remember our shared past struggles and, at the same time, inspire us all to fight for a better tomorrow for all people.”

—Dolores Huerta, EQCA board member and co-founder of the National Farm Workers Association



“EQCA works hard to elect pro-equality politicians to office, works with our allies to craft legislation, lobbies elected officials and engages and empowers our members from across the state to take an active role in the legislative process through our Action Center and annual Lobby Day. This year, our investments are paying off as we work to pass a record number of bills and resolutions to advance equality and provide critical protections for the LGBT Community.”

—Geoff Kors, EQCA Executive Director



Photo: TrishTunney.com

“As an African-American man of faith, I believe it's my duty to speak out for the rights of all people – including our friends in the LGBT community. I was proud to join more than 1,000 other Californians at EQCA's Lobby Day 2009, where I met with my elected representatives and told them our laws must protect and empower all people equally.”

— Rev. Art Cribbs, pastor of San Marino Congregational United Church of Christ

Protecting our Families

Senate and House Resolutions Urging

Repeal of Prop 8 | SR 7 & HR 5

These companion resolutions, which have both passed, put the Legislature on record supporting the repeal of Prop. 8 and declaring that the initiative was an improper revision to the California Constitution. By taking away the fundamental freedom to marry from same-sex couples, Prop. 8 undermined the very intent of the Constitution, which is to treat all people equally under the law.

Authors: Senator Mark Leno and Assemblymember Tom Ammiano

Survivors' Home Protection Act | AB 103

This bill is designed to protect LGBT partners, particularly seniors, from having to pay unfair property taxes and potentially losing their shared home following the death of a partner. The bill provides LGBT couples with the same benefits and protections currently enjoyed by straight couples who have the option of entering into a 'confidential marriage,' whereby information on their relationship is not publicly available. This option is not available for LGBT couples through the California Domestic Partner Registry.

Author: Assemblymember Kevin de León

Co-sponsor: San Francisco Assessor Phil Ting

Empowering our Youth

Mental Health Services for At-Risk Youth | SB 543

This bill would expand access to essential mental health services for minors age 12 to 17, including LGBT youth, and allow them to obtain counseling without parental consent. Many youth in need of services are fearful of coming out to their parents and, as a result, do not obtain the help they desire under current restrictions.

Author: Senator Mark Leno

Co-sponsors: National Association of Social Workers
– California Chapter, Mental Health America of Northern California, GSA Network



“I started seeing a counselor last year to cope with harassment at school. I wish I could've gotten the support without having to come out to my parents before I was ready. We need to eliminate the parental consent barrier to mental health services so that teens like me can access professional support when we need it most.”
– Danielle “DJ” Johnson, 17, Merced High School Gay-Straight Alliance President

Protecting our Communities

LGBT Domestic Violence Services Act | AB 1003

The rates of domestic violence in same-sex relationships are equivalent to the rates in opposite-sex relationships, yet service and support for LGBT victims still lags far behind. This bill expands access for LGBT service providers to funding within a state agency responsible for responding to domestic violence, supporting innovative, proven program models and helping to decrease the overall rate of domestic violence within the LGBT community.

Author: Assemblymember John A. Pérez

LGBT Prisoner Safety Act | AB 382

Sixty-seven percent of LGBT inmates report being sexually assaulted by other prisoners during their incarceration, a rate 15 times higher than the overall prison population.* This bill is designed to stem violence against LGBT individuals in the state prison system by adding sexual orientation and gender identity to the current list of factors to be considered when classifying and housing prisoners.

Author: Assemblymember Tom Ammiano



“If the CDCR properly recognized my transgender status and listened to my requests for safer housing from the beginning, instead of throwing me into a maximum security general population prison, I am confident that I would not have been assaulted.”
– Shelly Resnick, California resident

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eqca.org

EQCA is California's statewide lesbian, gay, bisexual and transgender rights advocacy organization. Over the past decade, EQCA has strategically moved California from a state with extremely limited legal protections for LGBT individuals to a state with some of the most comprehensive civil-rights protections in the nation. EQCA has passed over 52 pieces of legislation through the legislature and continues to advance equality through legislative advocacy, public education and community empowerment.



Equality California | eqca.org

Equal ID Act | AB 1185

Current California law allows transgender persons to petition the court in their home county for a new birth certificate that reflects their correct gender, as well as any accompanying name change. This bill would allow native Californians currently living outside the state to obtain the legal documentation they need. Qualified people would be able to return to their county of birth to obtain a new birth certificate, a primary source of identification often necessary to apply for full-time work, obtain or renew a passport or receive a social security card.

Author: Assemblymember Ted Lieu

Sponsored Resolutions

EQCA is sponsoring a number of resolutions to push the U.S. Congress and President to support LGBT rights. The resolutions put the California Legislature on record in support of overturning discriminatory federal laws and regulations and providing rights and protections for our community at the federal level.

U.S. Blood Donor Nondiscrimination Resolution | AJR 13

Author: Assemblymember Tom Ammiano

Uniting American Families Act Resolution | AJR 15

Author: Assemblymember Kevin De León

Resolution Urging Repeal of the Federal Defense of Marriage Act | AJR 19

Author: Assemblymember Julia Brownley

Resolutions in Support of the Matthew Shepard Act

SR 23 | Senator Christine Kehoe HR 16 | Assemblymember Pedro Nava

Resolution Urging Repeal of “Don’t Ask, Don’t Tell” | SJR 9

Author: Senator Christine Kehoe

* California Department of Corrections and Rehabilitation