



CAPITOL RESOURCE INSTITUTE

AB 2943 TALKING POINTS

Change is Real

- People should have the freedom to pursue counseling and personal life changes that bring them true happiness. Yet California politicians are trying to take that freedom away.
- Many people have found joy in living consistent with their beliefs regarding sexuality and gender.
- Their stories and experiences are real, and California politicians have no business denying them and countless others the freedom to find counseling and resources to help them find true happiness or to shut down counselors, schools, and faith-based organizations that provide those services.

Faith is Not Fraud

- The idea that people can change and find true joy in embracing and living out their faith is at the heart of many religions. California politicians shouldn't be telling people that such faith is fraudulent.
- People looking for change should be free to find services and resources from counselors, schools, and faith-based organizations to help them achieve their desired goals and outcomes.
- AB 2943 would outlaw these individuals and organizations from offering help to those seeking change, violating their rights to freedom of speech and freedom of religion.

Respect Our Faith

- Politicians should not be mocking and discriminating against the belief in the power of faith to change a person's life—a belief held by numerous Californians.
- The Supreme Court affirmed in *Masterpiece Cakeshop* that government officials cannot disparage or demean a person's faith. Yet California politicians are doing just that by denying the stories of those who have experienced personal life changes.
- It is time for California politicians to respect our faith.



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AB 2943 QUESTIONS AND ANSWERS

How does the recent ruling in *Masterpiece Cakeshop* impact the constitutionality of AB 2943?

The Supreme Court held that the state of Colorado did not act with the required neutrality towards Jack Phillips when it prosecuted him for declining to create a custom-designed wedding cake to celebrate a same-sex wedding. The lack of neutrality was evidence by the state upholding the freedom of other cake artists to decline to create cakes that celebrate messages they found offensive.

AB 2943 operates in a similar manner. Counselors, religious organizations, and even churches are subjected to differential treatment when they provide fee-based services and resources to those seeking personal life changes based on their religious views. A counselor who, at the direction of a client, helps affirm the client's same-sex attractions remains free to do so. But a counselor who, also at the direction of a client, helps a client explore and pursue personal life changes for unwanted attractions is subject to liability. Such non-neutral application of the law is not permissible under our Constitution.

What types of activities are subject to AB 2943?

AB 2943 is an extremely broad bill that outlaws a variety of constitutionally protected activities. All types of counseling, including talk therapy, group sessions, and even journaling, would be outlawed if it helps a person address unwanted same-sex attractions or gender identity question. Conferences and retreats, such as a marriage conference or church men's retreat, that help individuals or couples with these issues would be subject to the law. A variety of services offered by a religious school or college could also trigger the law, including counseling services, classes, and even school policies that require students to change their sexual behavior as a condition of enrolling in the school.

Does AB 2943 still ban books after the amendment?

As amended, AB 2943 is still extremely broad and impacts the sale of books and other resources that help individuals seeking personal life changes. Under the bill, "services furnished in connection with the sale or repair of goods" are subject to the law. As a result, a bookstore could be liable if its staff assisted a patron by recommending a book to help the individual change unwanted same-sex attraction.

Does AB 2943 ban the Bible?

While it is unlikely that churches or bookstores will be sued for selling copies of the Bible, what is more troubling is that AB 2943 declares the biblically-based teaching that a person can be born again and experience true personal life changes related to their sexuality and identity as deceptive and fraudulent. While it's hard to imagine any state in America banning the Bible for private citizens, AB 2943 sets us on an extremely dangerous trajectory.

Why are you opposing AB 2943?

We support the freedom for all people to pursue counseling and personal life changes that bring them true happiness. California politicians are trying to take that freedom away. They're trying to sneak this bill through before Californians find out their freedoms are being taken away.

AB 2943 attacks conscience rights on two fronts: adults seeking to resolve unwanted feelings of sexuality and gender, and counselors, experts, authors and even religious leaders trying to help. The government has no business denying people their freedom to pursue personal life changes that bring them true happiness and fulfillment, or to shut down counselors, schools and faith-based organizations that help adults to resolve unwanted feelings regarding sexuality and gender.

Hasn't so-called "conversion/reparative therapy" been debunked and disproven, including by authorities such as the American Psychological Association?

No. The American Psychological Association acknowledges that, in some cases, men and women have been greatly helped to resolve unwanted same-sex attraction and gender confusion. The APA Handbook states, "[R]esearch on sexual minorities has long documented that many recall having undergone notable shifts in their patterns of sexual attractions, behaviors, or [orientation] identities over time." *APA Handbook*, v. 1, p. 636.

There are countless stories of Californians who sought out and benefitted from counseling and resources to address questions over unwanted feelings and attractions. To call their stories "fraudulent" is to deny their experiences and even their very existence.

Is it right to force someone to undergo an unproven, potentially harmful therapy program?

That's not what's happening in California or anywhere else. AB 2943 prohibits Californians who want to live consistent with their beliefs regarding sexuality and gender from accessing help to achieve their desired goals and outcomes.

The government has no business denying people the freedom to find counseling and resources to help them find happiness or to shut down counselors, schools, and faith-based organizations that provide those services.

California already protects minors from “conversion/reparative therapy.” Isn’t this just an extension of those same protections?

No, AB 2943 is a significant departure from past moves by the State of California. AB 2943 prohibits an adult from making his or her own decision to overcome unwanted feelings of same-sex attraction or gender confusion. People should have the freedom to pursue what brings true happiness and joy. AB 2943 cuts people off from their own pathway to happiness.

Would you support overturning “conversion/reparative therapy” protection for minors?

We support the freedom to pursue counseling and personal life changes that bring true happiness. Regardless of age, people looking for change should be free to find it. AB 2943 would strip the people of California of that freedom.

Families should have every opportunity to find joy in living consistent with their beliefs when it comes to sexuality and gender.

Study after study shows that upwards of 90 percent of youth questioning their gender identity will outgrow these feelings over time. *See* Cohen-Kettenis PT, Delemarre-van de Waal HA, Gooren LJ. *The treatment of adolescent transsexuals: changing insights.* J Sexual Med 2008; 5:1892–1897. Shouldn’t families be free to explore all options as they are helping their children navigate the difficulties of childhood and puberty?

Would your group support a simple disclaimer to individuals seeking reparative therapy that states California’s concerns with reparative therapy?

No. The state of California has no right to block people from this pathway to happiness in any way. And in fact, a similar law that compelled disclaimers for pro-life pregnancy centers is currently being challenged at the U.S. Supreme Court in the *NIFLA* case.

Why should a group or person be allowed to commit consumer fraud under the guise of “religion”?

The idea that people can change and find true joy in embracing and living out their faith is at the heart of many religions. California shouldn’t be telling people that such faith is fraudulent.

The American Psychological Association acknowledges that, in some cases, men and women have been greatly helped to resolve unwanted same-sex attraction and gender confusion. There are countless stories of Californians who sought out and benefitted from counseling and resources to address questions over unwanted feelings and attractions. To call their stories “fraudulent” is to deny their experiences and even their very existence.

Isn’t promoting the idea of “conversion/reparative therapy” out of step with Jesus’ command to love your neighbor?

The idea that people can change is at the very heart of who Jesus is and why He came. California politicians shouldn’t be telling people that such faith is fraudulent.