

Quotes from the LA Times Editorial Board



Los Angeles Times
Editorial Board

May 7, 2018

The problem is that AB 2943 isn't a regulation of licensed healthcare professionals. Rather, and oddly, it's an amendment to a state law, the Consumer Legal Remedies Act, dealing with fraudulent trade in goods and services. It would expand the definition of "unfair or deceptive acts or practices" for which consumers could sue to include "advertising, offering to engage in or engaging in sexual orientation change efforts with an individual." And it would cover anyone who engaged in that practice.

Would that include churches or other religious groups that sold, advertised or even recommended books that propagated the idea that believers can use prayer to overcome "same-sex attraction"? That's what several conservative organizations and commentators are arguing. They have the Constitution on their side. The 1st Amendment clearly protects their right to preach, and encourage adherents to follow, religious doctrine on sexual morality.

Finally, it's true that AB 2943 covers only sexual orientation change efforts that result in the "sale or lease of goods or services" and thus wouldn't affect a lot of religious communications in which no money changes hands. But what if a minister urged someone he or she was counseling to buy a book or enroll in a religious seminar that charged a registration fee? Treating that activity as consumer fraud would raise serious constitutional questions.