

TRANSADVOCATE

Despite PJI's Claims To Contrary, AB1266 Goes Into Effect On January 1, 2014

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Abstract

In their December 30, 2013 press release Co-ed Bathroom Bill Update: Legislature Still Has To Hold It, the Pacific Justice Institute (PJI) claims that the California Success and Opportunity Act (the act that that they're attempting to rebrand as the "Co-ed Bathroom Bill") doesn't go into effect on January 1, 2014. Sacramento, CA-- A referendum [...]

Article

In their December 30, 2013 press release Co-ed Bathroom Bill Update: Legislature Still Has To Hold It, the Pacific Justice Institute (PJI) claims that the California Success and Opportunity Act (the act that that they're attempting to rebrand as the "Co-ed Bathroom Bill") doesn't go into effect on January 1, 2014.

Sacramento, CA-- A referendum has put on hold a 37 word bill which would have opened up restrooms, locker rooms and showers in K-12 public schools to students "irrespective of the gender listed on the pupil's records." Known as the Co-ed Bathroom Bill, Assembly Bill 1266 originally was due to go into effect on Jan. 1, 2014. But voters in all 58 of California's counties have put on the brakes by submitting more than 600,000 signatures to the Secretary of State.

Under Article II, §9 of the California Constitution, the People have reserved to themselves their inherent power to review statutes enacted by lawmakers. "The voters are essentially part of the legislative process," said Brad Dacus, president of the Pacific Justice Institute. "Through the referendum, they either approve or veto the law," Dacus continued.

There has been some confusion about what constitutes a referendum. By its nature, a referendum involves a law that has been passed by the Legislature, but not gone into effect. Because the signatures have been filed, the implementation of the law is suspended until the final signature tally. After that, the law will continue to lie dormant until the voters render their judgment in the November 2014 election.

Fact-checking that claim that "[b]ecause the signatures have been filed, the implementation of the law is suspended until the final signature tally," I called the California Secretary of State's communications office. A representative of that office told me that "AB1266 will be in effect until the referendum qualifies for the ballot -- if it qualifies for the ballot." When I asked if or when the law would be suspended, the representative said that "If [the AB1266 referendum] qualifies for the

ballot, the law is suspended then.”

After fact-checking yet another press release from PJI, The Transadvocate again found PJI is putting out misinformation. Perhaps it’s no surprise then that Media Matters has labeled the Pacific Justice Institute as the LGBT Misinformer Of The Year.

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