

INTRODUCED: 03/30/2015

REFERRED TO: Committee of the Whole

SPONSOR: Councillors Lewis, Barth, Adamson, Tew, Mansfield, Hickman, Mascari, Osili, Robinson, Miller, Jackson, Clay, Hunter, Oliver, Shreve, McQuillen and Moriarty Adams

DIGEST: opposes the Indiana General Assembly’s passage of Senate Enrolled Act 101, also known as the Religious Freedom Restoration Act (RFRA), and encourages State legislators to amend the Civil Rights section of the Indiana Code and to uphold and protect local anti-discrimination ordinances by exempting them from SEA 101

SOURCE:

Initiated by: Councillors Lewis, Barth, Adamson and Tew

Drafted by: Councillor Barth

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor



PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL:

\_\_\_\_\_

Date: March 27, 2015

CITY-COUNTY SPECIAL RESOLUTION NO. , 2015

A SPECIAL RESOLUTION in opposition to the Indiana General Assembly’s passage of Senate Enrolled Act 101, also known as the ‘Religious Freedom Restoration Act’ (RFRA).

WHEREAS, the city of Indianapolis is committed to protect the rights of all citizens, regardless of sexual orientation, race, gender identification, ethnicity, religion, or creed, and has already passed bi-partisan legislation to provide protections; and

WHEREAS, RFRA legislation could allow businesses to discriminate; and

WHEREAS, RFRA legislation in other states has made it more difficult to protect victims of domestic violence, prosecute child abusers and ensure public safety and equal access for all citizens; and

WHEREAS, local and national businesses, organizations and faith groups, large and small, and Marion County residents oppose RFRA as it makes Indiana less welcoming and less competitive in recruiting and retaining talented employees; and

WHEREAS, major conventions and major employers may leave Indianapolis, creating a substantial negative impact to the city of Indianapolis and the State of Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council is opposed to the recent passage of RFRA as it is not a true representation of our City as a welcoming and inclusive place, and is bad for local businesses, will reduce tourism revenue and makes companies less competitive in recruiting and retaining top talent.

SECTION 2. The Council encourages the Indiana State Legislature to amend the Civil Rights section of the Indiana Code to include sexual orientation and gender identity, and to specifically exempt all civil rights laws, including but not limited to locally enacted Human Rights Ordinances, from SEA 101.

SECTION 3. The Council further expresses strong disapproval of SEA 101, as it will make protecting victims of domestic violence, as well as defending the rights of gay and transgender community members more difficult.

SECTION 4. The Council encourages Indianapolis businesses to register with the Open For Service campaign, and will work with the Indianapolis Chamber of Commerce to provide links to the Open For Service list of companies committed to serving all.

SECTION 5. The Council directs its Legal Counsel to determine whether SEA 101 will negate the protections already provided in law by the body, and research possible actions.

SECTION 6. The Council declares that enforcement of its human rights ordinance and other anti-discrimination laws is a compelling governmental interest and is the least restrictive means of furthering that interest.

SECTION 7. The Council directs the Clerk to send of a copy of this resolution to the Governor of Indiana, Speaker of the House, President Pro Tempore of the Senate, Assembly members representing districts in Indianapolis and other legislative leaders as deemed appropriate.

SECTION 8. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 9. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The foregoing was passed by the City-County Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_ p.m.

ATTEST:

\_\_\_\_\_  
Maggie A. Lewis  
President, City-County Council

\_\_\_\_\_  
NaTrina DeBow  
Clerk, City-County Council

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2015, at 10:00 a.m.

\_\_\_\_\_  
NaTrina DeBow  
Clerk, City-County Council

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Gregory A. Ballard, Mayor