

12-7-2015

SPEECH. HOLOCAUST DENIAL RESTRICTIONS. INITIATIVE STATUTE.

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SPEECH. HOLOCAUST DENIAL RESTRICTIONS. INITIATIVE STATUTE. California Initiative 1733 (2015).
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The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

SPEECH. HOLOCAUST DENIAL RESTRICTIONS. INITIATIVE STATUTE. Restricts speech that lobbies against the recognition of the Jewish, Armenian, or Ukrainian Holocausts at any school, educational institution, or museum that receives state funds. Prevents Holocaust denial organizations, as defined, from disseminating information and conducting activities on the premises of these institutions, or involving the employees, clients, or students of these institutions. Permits injunctive relief and damages against the Holocaust denial organizations that commit violations. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Given its restraint on free speech, a court may find this measure unconstitutional. If so, it would have no fiscal effect. If the measure could be implemented legally, the annual cost to state-funded educational institutions is unlikely to be significant statewide, but the cost for a particular local government in a particular year might be significant if it is sued and found to have violated the provisions of the measure.** (15-0073.)

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Attorney General Harris,

I kindly request that your office provides an Official Title and Summary for the statutory Ballot Initiative contained in this letter. You may reach me at 949-973-0975 or write to me at grefou@gmail.com.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Gregory Foulkes', with a long horizontal flourish extending to the right.

Gregory Foulkes

Here is the text of the Statutory Ballot Initiative I am proposing.

Section 1

Schools, other Educational Institutions, and Museums receiving State funds ["State Funded Educational Institutions"] within the State of California shall exclude any "Holocaust Denial Organization" from any opportunity to diffuse information or facilitate activities, whether on a voluntary, spontaneous, or contractual basis, on the premises of State Funded Educational Institutions or to the employees, clients, or students of State Funded Educational Institutions.

Section 2

"Holocaust Denial Organization" is defined as

Section 2 A

(1) Organizations which lobby against the recognition of the Jewish, Armenian, or Ukrainian Holocausts, as such, whether publicly or privately;

Section 2 B

(2) and Front Organizations for said Holocaust Denial Organizations

Section 3

This law will be breached whether or not the content being diffused in proscribed areas and at proscribed times by the Holocaust Denial Organization includes Holocaust Denial or arguments against Official Recognition of the Jewish, Armenian, or Ukrainian Holocausts, as such.

Section 4

In case of a breach of this law, injunctive relief and damages may be sought by organizations representing the community being targeted by the Holocaust Denial Organization and, in the case of a Front Organization with overlapping Boards and major donors, the Parent Body of a Front Organization, whether formally or informally linked to the Holocaust Denial Organization.

Section 5

If a Section, Subsection, or Clause of this Statute is found to be unconstitutional, invalid or unenforceable in any jurisdiction, that shall not affect the validity or enforceability in that jurisdiction of any other clause of this statute."