

10-25-2010

CREATES SPECIAL CONSTITUTIONAL  
RULE FOR SPEECH BASED ON THE BIBLE.  
INITIATIVE CONSTITUTIONAL  
AMENDMENT

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CREATES SPECIAL CONSTITUTIONAL RULE FOR SPEECH BASED ON THE BIBLE. INITIATIVE CONSTITUTIONAL AMENDMENT California Initiative 1475 (2010).  
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**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

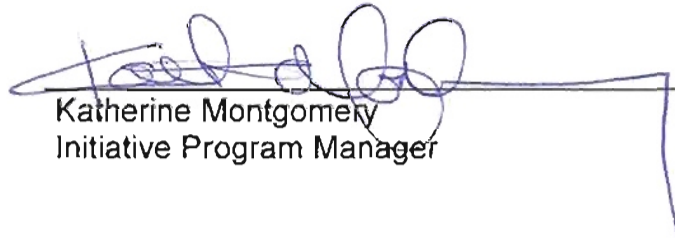
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October 25, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10305

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: 1475, Related to Religion

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**CREATES SPECIAL CONSTITUTIONAL  
RULE FOR SPEECH BASED ON THE BIBLE.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Allan Esses  
5319 University Drive, Suite 133  
Irvine, CA 92612

[pastorallan@yesjesusislord.org](mailto:pastorallan@yesjesusislord.org)

#1475

**CREATES SPECIAL CONSTITUTIONAL  
RULE FOR SPEECH BASED ON THE BIBLE.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 694,354  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Monday, 10/25/10
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336)..... Monday, 10/25/10
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elec. Codes §§ 336, 9030(a))..... Thursday, 03/24/11
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elec. Code § 9030(b))..... Wednesday, 04/06/11  

(If the Proponent files the petition with the county on a date prior to  
03/24/11, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties..... Friday, 04/15/11\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(Elec. Code § 9030(d)(e))..... Friday, 05/27/11

\* Date varies based on the date of county receipt.

**INITIATIVE #1475**

**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 04/15/11, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elec. Code §§ 9030(f)(g), 9031(a)).....Monday, 06/06/11\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c)).....Tuesday, 07/19/11

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 06/06/11, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033) .....Saturday, 07/23/11\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

October 25, 2010

**FILED**  
In the office of the Secretary of State  
of the State of California

OCT 25 2010

Honorable Debra Bowen  
Secretary of State of the State of California  
State of California Elections  
1500 11th Street, 5th Floor  
Sacramento, CA 95814

Debra Bowen, Secretary of State  
By:   
Deputy Secretary of State

Attention: Ms. Katherine Montgomery  
Associate Elections Analyst

Dear Secretary Bowen:

Pursuant to Elections Code, section 9004, you are hereby-notified that on this day we sent our title and summary for the following proposed initiative to the proponent:

- 10-0022, "The Free Exercise of Religion"

A copy of that title and summary and text of the proposed initiative is enclosed. Thank you.

Sincerely,



KRYSTAL M. PARIS  
Initiative Coordinator

For EDMUND G. BROWN JR.  
Attorney General

Proponent:  
Allan Esses  
5319 University Drive, Ste., 133  
Irvine, CA 92612

October 25, 2010  
Initiative 10-0022

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**CREATES SPECIAL CONSTITUTIONAL RULE FOR SPEECH BASED ON THE BIBLE. INITIATIVE CONSTITUTIONAL AMENDMENT.** Exempts speech based on biblical authority from existing constitutional and statutory restrictions applicable to all other speech, including restrictions against discrimination and hate crimes. Repeals constitutional provision denying protection to acts of religious expression inconsistent with the peace or safety of the State. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Potentially minor increased costs to state and local governments to resolve legal issues pertaining to the effect of the measure.** (10-0022.)



**Yes Jesus Is Lord.Org**

Jesus Christ is Lord, to the glory of God the Father - Phil 2:11 -KJV  
5319 University Drive, Ste. 133  
Irvine, Ca. 92612

September 1, 2010  
The Honorable Jerry Brown  
Attorney General  
State of California  
1300 I Street  
Sacramento, Ca. 95814

10-0022  
**RECEIVED**  
SEP 14 2010

Attention: Ms. Krystal Paris, Initiative Coordinator

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary – Initiative Statutory Amendment  
**“THE FREE EXERCISE OF RELIGION”**

Dear Attorney General Brown:

Pursuant to Article II, Section 10(d) of the California Constitution and Section 9002 of the Election Code, grateful to Almighty God, (as in the preamble to the California Constitution), I have attached the proposed initiative constitutional amendment to be submitted to the electors, grateful to Almighty God, that provides that a person using any part of the Bible's content as authority may freely communicate any view about or against various actions and principles at public or private gatherings, or in certain other places and circumstances.

The proposed constitutional amendment would be entitled:  
**“THE FREE EXERCISE OF RELIGION”**

I request that you please prepare a title and summary for the attached Initiative Statutory Amendment **“THE FREE EXERCISE OF RELIGION”** as required by law.  
My home address, where I am registered to vote, is also enclosed.

I have also included with this letter the required statement under California Elections Code section 9068 signed by me, as the proponent, and a check in the amount of \$200.  
*code section 9001(b)*

Please direct all correspondence and inquiries regarding this measure to:  
PastorAllan@YesJesusIsLord.Org and Pastor Allan Esses - **Yes Jesus Is Lord.Org**  
5319 University Drive - Ste. 133, Irvine, Ca. 92612  
Thank you for your time and kind attention to this matter.  
Very truly yours,

Pastor Allan Esses  
**Yes Jesus Is Lord.Org**

Jesus Christ is Lord, to the glory of God the Father - Phil 2:11 - KJV  
Jesus saith unto him, I am the way, the truth, and the life: no man cometh unto the Father, but by me. John 14:6 - KJV

**Initiative Constitutional Amendment: THE FREE EXERCISE OF RELIGION**

This amendment would amend Section 4 of Article I of the California Constitution. Language proposed to be added is underlined. Existing language proposed to be deleted has a ~~strike through line through it~~.

That Section 4 of Article I of the California Constitution is amended to read:

CALIFORNIA CONSTITUTION  
ARTICLE I DECLARATION OF RIGHTS

**THE FREE EXERCISE OF RELIGION**

~~Sec. 4. (a) Free exercise and enjoyment of religion without discrimination or preference are guaranteed. This liberty of conscience does not excuse acts that are licentious or inconsistent with the peace or safety of the State.~~ The Legislature shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

A person is not incompetent to be a witness or juror because of his or her opinions on religious beliefs.

(b) We, the People of the State of California, grateful to Almighty God for our freedom, in order to perpetuate His blessings do submit that a person using any part of the Bible's content as authority may freely speak, pray, write, discuss, publish, preach, teach, hear, share his or her faith, to proclaim Jesus Christ is Lord, to the glory of God the Father, engage in street witnessing, distribute written material or otherwise communicate any views on salvation, heaven, or abortion, adultery, alcoholism, anti-Semitism, astrology, bestiality, bigamy, bisexuality, blasphemy, civil unions, coarse jesting, cohabitation, coveting, cross-dressing, cults, drugs, drunkenness, extortion, euthanasia, evil, evolution, fornication, gay marriage, gender identity, hell, heresy, homosexuality, idolaters, idolatry, incest, lying, murder, necromancy, other religions, pornography, psychics, rape, reviling, sex, sexual immorality, sexual orientation, sodomy, sorcery, stealing, transgender, trans-sexuality, witchcraft, yoga, or sin at any public or private gatherings, school, church, or other place of worship, Bible Study group or sidewalk or in any communicative medium, the internet, satellite, television, film, theater, radio, videos, recording, newspapers, magazines, music, and periodicals or by means of a computer, telephone, cell phone or fax machine. These provisions shall not be construed to authorize actions prohibited by Section 302, Section 602.11 and Section 11412 of the Penal Code.