



Written by [Dave Bohon](#) on April 10, 2013

## California Bill Would Revoke Boy Scouts' Tax-Exempt Status

A bill currently under consideration in the California legislature would revoke the tax-exempt status of organizations that ban members or leaders based on religious, moral, or other values that serve to define the missions of those groups. Without saying so, the bill is specifically aimed at the Boy Scouts of America (BSA) which last June [affirmed its century-old ban on homosexual Scout leaders](#) following a nearly two-year revisiting of the issue.



As reported by [The New American](#), after making the announcement that it would not allow “gay” scout leaders, the BSA became the object of an intense campaign by pro-homosexual groups to force the organization to change its mind and allow avowed homosexuals to mentor boys involved in the organization. As companies like [UPS](#) and [Intel](#) agreed to drop their long-time funding of Scouting, BSA officials announced that they would take a second look at their policy, and make a final decision some time in 2013.

If SB 323, also known as the Youth Equality Act, is passed and signed into law by Gov. Jerry Brown, California would add “gender identity” and “sexual orientation” to its existing non-discrimination statute for youth organizations. “Notwithstanding any other law, an organization organized and operated exclusively as a public charity youth organization that discriminates on the basis of gender identity, race, sexual orientation, nationality, religion, or religious affiliation shall not be exempt from taxes imposed by this part,” the bill reads.

In addition to the Boy Scouts, the groups at risk of losing their tax-exempt status include the Little League, Cub Scouts, Girl Scouts, Special Olympics, American Youth Soccer Organization, Future Business Leaders of America, and a myriad of religious organizations designed to mentor children and youth. Other groups, such as the YMCA, Pop Warner Football, and even 4-H would also come under intense scrutiny over their practices and policies.

Some California communities have already been pressured by homosexual groups to penalize Boy Scout troops by taking away such long-time perks as free rent in schools. The legislation, sponsored by openly homosexual State Senator Ricardo Lara, would make California the first state to target the BSA for its morality-driven policy of barring homosexuals. “Our state values the important role that youth groups play in the empowerment of our next generation,” claimed Lara in attempting to justify the bill. “This is demonstrated by rewarding organizations with tax exemptions supported financially by all Californians. SB 323 seeks to end the unfortunate discriminatory and outdated practices by certain youth groups.” Addressing the BSA’s ongoing internal debate about how to resolve the issue, Lara told the [San Francisco Chronicle](#): “I thought it was necessary for California to make sure we don’t condone the discriminating practices of youth groups like the Boy Scouts of America. We’ve given the Boy Scouts ample time, and they’ve chosen not to address this issue.”

The conservative legal advocacy group [Alliance Defending Freedom](#) has come to the aid of the Boy Scouts, warning the California legislature in a tersely worded letter that the legislation is at odds with a



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[2000 Supreme Court](#) ruling that upheld the right of groups like the BSA to exclude homosexual leaders. “SB 323’s primary purpose is to penalize BSA based on its constitutionally protected membership policy and the values that underlie it,” said the letter, which was co-signed by ADF Senior Counsel David Cortman and nearly 40 ADF-allied California attorneys. “This type of targeted punishment of a group based on how it exercises its associational and free speech rights violates the First Amendment.” The letter explained that if the bill is passed, many non-profit youth organizations will be forced “to choose between following their core values and beliefs and losing their tax exemptions or abandoning their beliefs to comply with the law.... Freedom of association would prove an empty guarantee if associations could not limit control over their decisions to those who share the interests and persuasions that underlie the association’s being.”

Those who support the BSA’s continued ban of homosexual scout leaders point out that the organization exists to build solid character and integrity in young men, and note that the official [Boy Scout Oath](#) requires the conduct of the group’s members — as well as its leaders — to remain “morally straight,” a requirement that would be fatally compromised if the BSA ultimately surrenders on the issue.

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