



Biblical Citizenship Briefing

January 2024

This briefing is strictly for your information. It is a summary of some current public policy issues, including pending legislation, that involve moral and biblical principles. While suggested action may be included from time to time, no specific position by EFCC is implied. Find contact and subscription information at the end of this document.

In California

Here We Go Again! – The California Legislature reconvened for the second year of this two-year session on January 3. New bills will be introduced daily until the February 16 deadline, but many bills that did not complete their path through the legislative process last year have been held over into 2024. A few 2023 bills that are back for another opportunity at passage include:

[AB 598](#) requires sexual health classes in public schools to include local resources for reproductive services, including abortion, through physical or digital materials, as well as their right to access them. Although previously optional, the measure requires schools to include the sexual health section on Healthy Kids Survey in grades 7, 9 and 11.

[AB 602](#) seeks to impose penalties of up to \$10,000 on pro-life clinics and care centers if a “reasonable person” would believe the business provides pregnancy-related services, including abortion, and they do not “make a timely referral to a provider of that pregnancy-related service.” This requirement to refer to an abortion provider would appear to run afoul of the [NIFLA v. Becerra](#) decision in 2018.

[SB 729](#) redefines infertility to include same-sex couples, and requires insurance companies to cover “infertility” treatment for them, including medical costs for a surrogate.

These bills are at various stages of the legislative process and no hearings have currently been scheduled, but all bills introduced in 2023 must at least complete the path through their house of origin by the end of January. To find out more about many bills relating to life, faith and family issues, visit judeochristiancaucus.com/bills-and-resolutions. (Referral for informational purposes only, does not imply an endorsement by EFCC of the opinions, positions, or contents of the site.) You may also look up any California legislation or search by keyword at leginfo.legislature.ca.gov.

Poll Finds New Gender Laws Out of Sync with Californians – Numerous bills regarding gender identity have been signed into law in our state, and the Legislature is poised to introduce more this year. But where are the people on this topic? A new survey by Spry Strategies designed to mirror the state’s demographics shows a populace with more traditional opinions. For example, 63 percent believe strongly or somewhat strongly that sex is binary. Seventy percent define a woman as a biologically-born female. On the topic of a child identifying as another gender at school, 58 percent strongly agree that parents should be notified, with another 14 percent somewhat agreeing. Fewer than 21 percent agree that children should be allowed to undergo surgeries to try to change them to the opposite sex or use off-label medications and hormones. Fifty-nine percent support legislation to restrict biological males from girls’ sports teams and facilities versus 29 percent who oppose these restrictions. Allowing biological males into female changing and showering facilities is opposed by 64 percent of those surveyed. California Family Council notes, “Across the board, a substantial majority of California voters—at least 2-3 times greater—opposed the notion of legally erasing biological sex compared to those who supported doing so. This means California representatives and policymakers are out of touch with most of their constituents. Hopefully, this is a sign that change is coming in California with critical elections right around the corner.” Read more [here](#) and see the full survey [here](#).

In the Courts

High Court to Hear Abortion Drug Case – Last month, the U.S. Supreme Court agreed to hear [U.S. Food and Drug Administration v. Alliance for Hippocratic Medicine](#), a case brought by four national medical associations and four doctors. They [sued](#) the federal government for harming women in an approval process for the abortion pill (technically two drugs, mifepristone and misoprostol) that took short-cuts and amounted to a political decision. Since the initial approval, the FDA has relaxed several provisions made to improve safety: increasing the maximum gestational age from seven to ten weeks, reducing in-person office visits from three to one, and allowing the drugs to be obtained by mail without the exam to ensure a correct gestational age and an ultrasound to detect a possible ectopic pregnancy. Last April, a U.S. District Court in Texas [granted](#) a partial preliminary injunction halting FDA approval of the abortion pill mifepristone, then the 5th Circuit Court of Appeals narrowed the Texas ruling by denying a complete ban, but reinstating the 2016 drug requirements restricting the gestational age to just seven weeks and prohibiting mail order distribution. The Justice Department appealed to the nation’s high court.

Alliance Defending Freedom Senior Counsel Erin Hawley stated, “Every court so far has agreed that the FDA acted unlawfully in removing common-sense safeguards for women and authorizing dangerous mail-order abortions. We urge the Supreme Court to do the same. The FDA has harmed the health of women and undermined the rule of law by illegally removing every meaningful safeguard from the chemical abortion drug regimen. Like any federal agency, the FDA must rationally explain its decisions. Yet its removal of common-sense safeguards—like a doctor’s visit before women are prescribed chemical abortion drugs—does not reflect scientific judgment but rather a politically driven decision to push a dangerous drug regimen.”

White House spokeswoman Karine Jean-Pierre said in a statement, “This Administration will continue to stand by FDA’s independent approval and regulation of mifepristone as safe and effective.” A decision is expected this summer. Read more [here](#) and [here](#).

ER Docs Cannot Be Forced to Perform Abortions – On January 2, the 5th Circuit Court of Appeals held in [State of Texas v. Becerra](#) that federal law may not be used to mandate that emergency room physicians perform abortions. ADF Senior Vice President of Strategic Initiatives Ryan Bangert stated, “Doctors shouldn’t be forced to break the Hippocratic Oath, and they shouldn’t have to choose between violating their deeply held beliefs or facing stiff financial penalties and being barred from the Medicare program. Emergency room physicians can, and do, treat life-threatening conditions such as ectopic pregnancies. But elective abortion is not life-saving care—it ends the life of the unborn child—and the government has no authority to force doctors to perform these dangerous procedures. We are pleased that the courts are allowing emergency rooms to fulfill their primary function—saving lives.” Read more [here](#). Find out about about a related case from Idaho before the high court [here](#).

In the News

HHS Proposes Gender-Affirming Foster Placement – Christians are three times more likely than others to consider foster parenting, yet some state laws—and a federal proposal—may force foster parents to choose between fostering and their faith. Last year, Gov. Newsom signed [SB 407](#) requiring that foster resource families demonstrate a willingness to meet the needs of “lesbian, gay, bisexual, transgender, queer, or plus (LGBTQ+) and gender-expansive youth.” Though originally part of the bill, the new law does not require foster parents to sign an agreement to this effect. In Oregon, a mother seeking to adopt siblings was excluded from the process because she believes boys and girls are biologically different. She is [appealing](#) to the 9th Circuit Court of Appeals, with her [opening brief](#) filed January 12.

Now, the Department of Health and Human Services Administration for Children and Families (ACF) has proposed a [new rule](#) “to specify the steps agencies must take when implementing the case plan and case review requirements for children in foster care who identify as [LGBTQI+].” Agencies must ensure that such children are only placed in “safe and appropriate” homes and with “services that are necessary to support their health and wellbeing.” Providers are “safe and appropriate” when they “will establish an environment free of hostility, mistreatment, or abuse based on the child’s LGBTQI+ status,” though these terms are not defined. The provider “will facilitate the child’s access to age-appropriate resources, services, and activities that support their health and well-being.”

The proposal acknowledges that in 2021 the U. S. Supreme Court [ruled](#) that requiring Catholic Social Services to place children in households led by same-sex couples was a violation of the Free Exercise Clause. There is no requirement that religious foster applicants “seek designation as a safe and appropriate provider for LGBTQI+ children as described in this proposed rule if the provider had sincerely held religious objections to doing so.” However, the underlying presupposition is that only affirmation of LGBTQI+ is “safe and appropriate.” In its [public comment](#) on the proposed rule, The American Enterprise Institute stated, “Enforcing this requirement on state agencies constitutes federal overreach.” They warn that the policy would “almost certainly reduce the number of foster parents and foster care services.” In late November, several state attorneys general urged that this rule be rescinded because it would drive away Christians. In addition to the religious freedom issue, the cost burden of the new requirements is expected to be more than \$40 million.

The comment period closed on November 27. Final action on the policy is expected by April. Read more [here](#).

Study Finds Conservative Parenting Equals Healthier Kids – Our nation is in the grip of a mental health crisis, including alarming rates of teen suicide. A [study](#) by the Institute of Family Studies and Gallup found “the most important factor in the mental health of adolescent children is the quality of the relationship with their caregivers. This, in turn, is strongly related to parenting practices—with the best results coming from warm, responsive, *and* rule-bound, disciplined parenting. The data also reveal the characteristics of parents who engage in best-practices and enjoy the highest quality relationships.” It’s not about socioeconomic status, they find. Interestingly, “[p]olitical ideology is one of the strongest predictors. Conservative and very conservative parents are the most likely to adopt the parenting practices associated with adolescent mental health.” The discussion of the study ends on this note: “The nation’s mental health leaders need to resist the temptation to be hip to the latest cultural fads and recommit to translating useful scientific research to the public. That means being honest about the youth mental health crisis: It is largely about parenting.” Read more [here](#).

In Prayer

As the new legislative year begins in our state, please pray that our leaders will seek God’s wisdom and guidance. Father, You are holy and righteous, yet You care about our lives and our leaders’ lives. Draw them to Your saving grace and fill them with Your Spirit to guide them into all truth. In Jesus’ name, Amen. *First of all, then, I urge that supplications, prayers, intercessions, and thanksgivings be made for all people, for kings and all who are in high positions, that we may lead a peaceful and quiet life, godly and dignified in every way. This is good, and it is pleasing in the sight of God our Savior. ~1 Timothy 2:1-3*

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