



# Board of County Commissioners

## RESOLUTION 2023- 074

### **Boulder County Commissioners' Resolution Reaffirming Support for LGBTQ+ Community, following Supreme Court ruling in 303 Creative vs. Eleni**

**WHEREAS**, the Colorado Anti-Discrimination Act (§ CRS 24 34 601) prohibits businesses from refusing services or goods to individuals or groups of people based upon various characteristics or perceived characteristics, including sexual orientation, gender identity, and gender expression; and

**WHEREAS**, all people in Colorado are entitled to the full and equal enjoyment of goods, services, facilities, privileges, advantages, or accommodations offered to the public, regardless of protected classification; and

**WHEREAS**, the Boulder County government has a strong non-discrimination policy that affords job applicants, clients, and employees protections based on protected classes including sexual orientation, gender identity, and gender expression; and

**WHEREAS**, a Colorado business, 303 Creative, LLC, has explicitly sought to discriminate against LGBTQ+ individuals by proposing to deny business services for persons related to same-sex marriages, based on the U.S. Supreme Court case 303 Creative vs Elenis (Docket 21-476); and

**WHEREAS**, the decision handed down on June 30, 2023, by the U.S. Supreme Court on the 303 Creative vs Elenis case is monumental in that the court has granted permission for some businesses to openly discriminate against members of the LGBTQ+ community by seriously weakening public accommodation laws, including those in Colorado; and

**WHEREAS**, this decision not only runs counter to the intent of the Colorado Anti-Discrimination Act, but also opens the door for businesses to deny services or goods to other persons based on protected characteristics such as race, ethnicity, religion, and marital status, and thereby weakens the intent of the Act; and

**WHEREAS**, most Colorado businesses, including those in Boulder County, provide goods and business services to LGBTQ+ persons as well as people from all backgrounds; and

**Claire Levy** *County Commissioner* **Marta Loachamin** *County Commissioner* **Ashley Stolzmann** *County Commissioner*

**WHEREAS**, Colorado LGBTQ+ individuals and advocacy groups have mobilized with the state's business community to ensure non-discriminatory business practices are upheld in the state.

Now therefore be it resolved that Boulder County strongly agrees that Colorado's ethics of fairness and non-discrimination should be applied, without exception, to the LGBTQ+ community as well as to all other communities who have faced historic discrimination.

BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY:

**Claire Levy**

**Ashley Stolzmann**

**Marta Loachamin**