

File No. 160290

Committee Item No. _____

Board Item No. 32

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____
Board of Supervisors Meeting

Date: _____
Date: April 5, 2016

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- Form 126 – Ethics Commission
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OTHER

- California Assembly Bill No. 1887
- _____
- _____
- _____
- _____

Prepared by: Brent Jalipa
Prepared by: _____

Date: March 31, 2016
Date: _____

1 [Supporting California State Assembly Bill 1887 (Low) - Banning State-Supported Travel to
2 States that Discriminate]

3 **Resolution supporting California State Assembly Bill 1887, authored by Assembly**
4 **Member Evan Low, which prohibits a state agency from requiring its employees,**
5 **officers, or members from traveling to states that sanction or require discrimination on**
6 **the basis of sexual orientation, gender identity, or gender expression and prohibits**
7 **state-funded or state sponsored travel to those same states.**

8
9 WHEREAS, Existing California law prohibits discrimination on the basis of sexual
10 orientation, gender identity, or gender expression under any state program or activity; and

11 WHEREAS, California provides for officers and employees of the State, when away
12 from their headquarters for State business to receive travel expenses; and

13 WHEREAS, California employees often travel outside of the State to further the
14 business of the people of California; and

15 WHEREAS, California has strong anti-discrimination protections; and

16 WHEREAS, Certain states, such as the State of Indiana, foster discrimination on the
17 basis of sexual orientation, gender identity, or gender identity by providing protection to
18 individuals who discriminate if they claim a religious basis for doing so; and

19 WHEREAS, The State of Indiana's Religious Freedom Restoration Act is a particularly
20 egregious example of supporting discrimination that is incongruous with the values of the City
21 and County of San Francisco and the State of California; now, therefore, be it

22 **RESOLVED, That the City and County of San Francisco strongly supports Assembly**
23 **Bill 1887 to ensure that state employees are not required to travel to, and that public travel**
24 **dollars are not used to support, states that encourage discrimination on the basis of sexual**
25 **orientation, gender identity, or gender expression.**

AMENDED IN ASSEMBLY MARCH 10, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1887

**Introduced by Assembly Member Low
(Coauthor: Assembly Member Ting)**

February 11, 2016

An act to add Section 11139.8 to the Government Code, relating to discrimination.

LEGISLATIVE COUNSEL'S DIGEST

AB 1887, as amended, Low. State—~~Government:~~ *government:* discrimination: travel.

Existing law prohibits discrimination on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability under any state program or activity. Existing law provides for officers and employees of the state, when away from their headquarters for state business, to receive travel expenses.

This bill would prohibit ~~state-funded or state-sponsored~~ *a state agency from requiring any of its employees, officers, or members to travel to any state with a law in effect that sanctions or requires discrimination on the basis of sexual orientation, gender identity, or gender expression, or approving a request for state-funded or state-sponsored travel to any state with a law in effect that sanctions or requires discrimination on the basis of sexual orientation, gender identity, or gender expression,* subject to specified exceptions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11139.8 is added to the Government
2 Code, to read:

3 11139.8. (a) The Legislature finds and declares all of the
4 following:

5 (1) California is a leader in protecting civil rights and preventing
6 discrimination.

7 (2) California's robust nondiscrimination laws include
8 protections on the basis of sexual orientation, gender identity, and
9 gender expression, among other characteristics.

10 (3) Religious freedom is a cornerstone of law and public policy
11 in the United States, and the Legislature strongly supports and
12 affirms this important freedom.

13 (4) The exercise of religious freedom should not be a
14 justification for discrimination.

15 (5) California must take action to avoid supporting or financing
16 discrimination against lesbian, gay, bisexual, and transgender
17 people.

18 (6) It is the policy of the State of California to promote fairness
19 and equality and to combat discrimination.

20 (b) ~~All agencies, departments, boards, authorities, commissions,~~
21 ~~An agency, department, board, authority, or commission, including~~
22 ~~an agency, department, board, authority, or commission of the~~
23 ~~University of California, the Board of Regents, Regents of the~~
24 ~~University of California and California, or the California State~~
25 ~~University shall review all requests for state-funded or~~
26 ~~state-sponsored travel to any not do either of the following:~~

27 (1) *Require any of its employees, officers, or members to travel*
28 *to a state with a law in effect that sanctions or requires*
29 *discrimination on the basis of sexual orientation, gender identity,*
30 *or gender expression.*

31 (2) *Approve a request for state-funded or state-sponsored travel*
32 *to a state with a law in effect that sanctions or requires*
33 *discrimination on the basis of sexual orientation, gender identity,*
34 *or gender expression.*

35 (c) ~~Any state-funded or state-sponsored travel to locations~~
36 ~~described in subdivision (b) is prohibited, unless that travel~~
37 *Subdivision (b) shall not apply to travel that is necessary for the*

1 enforcement of California law, to meet prior contractual
2 obligations, or for the protection of public health, welfare, or safety.
3 (d) The prohibition on state-funded travel described in this
4 section shall continue while any law specified in subdivision (b)
5 remains in effect.

O



Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Supervisors Wiener; Campos

Subject:

Supporting Assembly Bill 1887 (Low) – Banning State-Supported Travel to States That Discriminate

The text is listed below or attached:

Resolution supporting California Assembly Bill 1887, authored by Assemblymember Evan Low, which prohibits a state agency from requiring its employees, officers, or members from traveling to states that sanction or require discrimination on the basis of sexual orientation, gender identity, or gender expression and prohibits state-funded or state sponsored travel to those same states.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: