

1 [Police Code - Prohibiting Pregnancy Discrimination in Housing]

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3 **Ordinance amending the Police Code to prohibit housing discrimination based on**

4 **pregnancy or medical conditions related to pregnancy.**

5 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.

6 **Additions to Codes** are in *single-underline italics Times New Roman font*.

7 **Deletions to Codes** are in ~~strikethrough italics Times New Roman font~~.

8 **Board amendment additions** are in double-underlined Arial font.

9 **Board amendment deletions** are in ~~strikethrough Arial font~~.

10 **Asterisks (* * * *)** indicate the omission of unchanged Code

11 subsections or parts of tables.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Article 33 of the Police Code is hereby amended by revising Section 3304,

14 to read as follows:

15 **SEC. 3301. POLICY.**

16 It is the policy of the City and County of San Francisco to eliminate discrimination

17 based on race, color, ancestry, national origin, place of birth, sex, age, religion, creed,

18 disability, sexual orientation, gender identity, weight, ~~or height, or pregnancy status~~ within the

19 City and County.

20 **SEC. 3302. FINDINGS.**

21 After public hearings and consideration of testimony and documentary evidence, the

22 Board of Supervisors finds that discrimination based on race, color, ancestry, national origin,

23 place of birth, sex, age, religion, creed, disability, sexual orientation, gender identity, weight,

24 ~~or height, or pregnancy status~~ exists in the City and County of San Francisco. The Board finds

25 further that such discrimination poses a substantial threat to the health, safety, and general

1 welfare of this community. Such discrimination foments strife and unrest, and it deprives the
2 City and County of the fullest utilization of its capacities for development and advancement.
3 The Board finds further that existing State and federal restraints on arbitrary discrimination are
4 not adequate to meet the particular problems of this community, and that it is necessary and
5 proper to enact local regulations adapted to the special circumstances which exist in this City
6 and County.

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8 **SEC. 3304. HOUSING.**

9 (a) **Prohibited Activity.** It shall be unlawful for any person to do any of the
10 following acts wholly or partially because of a person's actual or perceived race, color,
11 ancestry, national origin, place of birth, sex, age, religion, creed, disability, sexual orientation,
12 gender identity, source of income, weight, *or height, or pregnancy status*:

13 (1) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in
14 real property, including but not limited to the rental thereof; to require different terms for such
15 transaction; or falsely to represent that an interest in real property is not available for
16 transaction;

17 (2) To include in the terms or conditions of a transaction in real property any
18 clause, condition or restriction;

19 (3) To refuse to lend money, guarantee the loan of money, accept a deed of trust
20 or mortgage, or otherwise refuse to make available funds for the purchase, acquisition,
21 construction, alteration, rehabilitation, repair or maintenance of real property; or impose
22 different conditions on such financing; or refuse to provide title or other insurance relating to
23 the ownership or use of any interest in real property;

24 (4) To refuse or restrict facilities, services, repairs or improvements for any tenant
25 or lessee;

(5) To make, print, publish, advertise, or disseminate in any way, or cause to be made, printed or published, advertised, or disseminated in any way, any notice, statement, or advertisement with respect to a transaction or proposed transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation, or discrimination based on race, color, ancestry, national origin, place of birth, sex, age, religion, creed, disability, sexual orientation, gender identity, source of income, weight, or height, or pregnancy status.

For purposes of this subsection (a), "source of income" means all lawful sources of income or rental assistance from any federal, State, local, or nonprofit-administered benefit or subsidy program. "Source of income" also means a rental assistance program, homeless assistance program, security deposit assistance program or housing subsidy program. "Source of income" includes any requirement of any such program or source of income, or rental assistance. For purposes of this subsection (a), "pregnancy status" includes pregnancy or medical conditions related to pregnancy.

Section 2. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

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4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ Zachary Porianda
7 ZACHARY PORIANDA
Deputy City Attorney

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