

REVISED LEGISLATIVE DIGEST

(Substituted, 8/2/2016)

[Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States With Anti-LGBT Laws]

Ordinance amending the Administrative Code to prohibit City-funded travel to states that have enacted laws after June 26, 2015, reversing anti-discrimination protections for LGBT individuals or permitting discrimination against LGBT individuals, and to prohibit City contracting with companies headquartered in states that have enacted such laws, or where work on the contract would be performed in such states.

Existing Law

Existing law does not prohibit City-funded travel to states that have enacted anti-LGBT laws. Existing law also does not include any restrictions on City contracting with companies or individuals that have their headquarters in or intend to provide services to the City from such states.

Amendments to Current Law

The proposed ordinance would direct the City Administrator to create a list of states that, since June 26, 2015, have enacted laws that (1) void or repeal existing state or local anti-discrimination protections for LGBT individuals, or (2) authorize or require discrimination against same sex couples or their families or discrimination on the basis of sexual orientation, gender identity, or gender expression. Subject to limited exceptions, City funded travel to states on the City Administrator's list would be prohibited. Similarly, subject to limited exceptions, the City will not enter into contracts for commodities or services and contracts for public works or improvements with companies headquartered in such states or companies or individuals intending to provide services to the City from such states.

Background Information

On June 26, 2015, the U.S. Supreme Court issued its decision in *Obergefell v. Hodges*, recognizing the constitutional right of same sex couples to marry. Since the *Obergefell* decision, some states have enacted laws that void state and municipal anti-discrimination protections for LGBT individuals. North Carolina recently passed a law that renders unenforceable all existing and future local and municipal LGBT protections. The law also discriminates against transgender people by requiring them to use public restrooms that correspond to their biological sex rather than their gender identity. Similarly, Mississippi recently passed a law that would permit individuals and businesses to deny services to LGBT people, if they claim they are taking this action based on religious beliefs.

FILE NO. 160425

In response to the enactment of the North Carolina law, on March 25, 2016, Mayor Lee issued a letter to City Departments prohibiting travel to North Carolina by City employees on City business.

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