

LEGISLATIVE DIGEST

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

Ordinance amending the Administrative Code to prohibit City-funded travel to states that have enacted laws that prohibit abortion prior to the viability of the fetus, 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; and making technical amendments regarding the travel and contracting provisions of this ban, which also apply to the existing ban on City-funded travel to and City contracts involving states with laws that discriminate based on sexual orientation, gender identity, or gender expression.

Existing Law

Current law does not prohibit the City from funding travel to states with restrictive abortion laws, nor does it prohibit the City from entering into contracts with businesses headquartered in such states or where services under the contract would be provided from such states. Chapter 12X of the Administrative Code contains City travel and contracting restrictions concerning states that have enacted certain types of laws that discriminate against LGBT individuals. Under Chapter 12X, the City Administrator maintains the list of states that have enacted such discriminatory laws.

Amendments to Current Law

The proposed ordinance would prohibit the City from funding travel to and from awarding contracts to contractors headquartered in or where services under the contract would be provided from states that have enacted laws that prohibit abortion prior to the viability of the fetus. The proposed ordinance would amend Chapter 12X of the Administrative Code to add this additional basis for restricting City-funded travel and City contracting subject to certain exceptions. The Department on the Status of Women (“DOSW”) will analyze state abortion laws to determine whether they are subject to the new prohibition. DOSW will make an initial recommendation to the City Administrator of states that are subject to the prohibition, and the City Administrator will create and publish a list of such states based on the recommendation. Thereafter, on at least a semiannual basis, DOSW will recommend to the City Administrator any necessary changes to the list.

The proposed ordinance also makes clarifying amendments to Chapter 12X that will apply both to the existing travel and contracting restrictions concerning states that have enacted discriminatory LGBT laws and states that have enacted restrictive abortion laws.

n:\legana\as2019\1900601\01366031.docx