

REVISED LEGISLATIVE DIGEST

(10/19/2021, Amened in Board)

[Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States with Voter Suppression Laws]

Ordinance amending the Administrative Code to prohibit City-funded travel to states that have adopted laws on or after January 1, 2021 suppressing voting rights, 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

The City does not have any existing law addressing the expenditure of City funds in states that have adopted laws restricting voting right.

Amendments to Current Law

The proposal is an ordinance that would amend the Administrative Code to prevent the expenditure of City funds on travel in states that have enacted laws restricting voting rights or on contracts with businesses headquartered or performing contractual services in such states.

The ordinance would require the City Administrator to create and maintain a list of states that have adopted Voter Suppression Laws on or after January 1, 2021. A “Voter Suppression Law” is a state law that, on balance, makes it harder to register to vote, harder to stay on the voter registration rolls, or harder to vote, or a state law that reallocates responsibility for the processing, tabulation, or determination of votes and/or election results in a manner that presents a danger that the will of the voters as expressed in their votes will be overridden.

Examples of voter suppression laws include:

- Laws that do not allow same-day voting at a polling place if a voter goes to the wrong polling location.
- Laws that prevent voters without photo IDs from satisfying an identification requirement in some other manner, such as by submitting a signed and sworn affidavit.
- Laws limiting or prohibiting local election departments from mailing absentee ballots or absentee ballot applications to all voters.
- Laws that ban pre-paid postage for mail-in ballots.
- Laws that prohibit extension of voting hours if election problems arise.

Under the proposal, the City would not require or pay for any of its employees or officers to travel to a state on the list, subject to certain exceptions necessary to enforce or

comply with the City's legal or contractual obligations or to protect the public health, safety, or welfare.

And the City would not enter into any contract with a contractor that has its headquarters in a state on the list or where any or all of the work on the contract will be performed in a state on the list. The ordinance would have limited exceptions for situations such as: the needed services are available only from one source; the contract is necessary to respond immediately to an emergency threatening the public health or safety; or, no bidders or prospective vendors comply with the ordinance and the contract is for a service, project, or property that is essential to the City or the public.

Background Information

The City has adopted laws prohibiting City-funded travel or contracting in states that allow discrimination against LGBT individuals (Administrative Code Chapter 12X, Article I) or that have restrictive abortion laws (Administrative Code Chapter 12X, Article II).

The Board amended the proposed ordinance to change the operative date from December 1, 2021, or the effective date, whichever is later, to 90 days after the effective date.

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