

AMENDED IN ASSEMBLY APRIL 7, 2016  
AMENDED IN ASSEMBLY MARCH 30, 2016  
AMENDED IN ASSEMBLY MARCH 10, 2016  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1887**

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**Introduced by Assembly Member Low  
(Coauthors: Assembly Members Chiu and Ting)**

February 11, 2016

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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: 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 a state agency and the Legislature from requiring any of its employees, officers, or members to travel to, or approving a request for state-funded or state-sponsored travel to, any state that, after June 26, 2015, has enacted a law that voids or ~~repeals~~ *repeals, or has the effect of voiding or repealing*, existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression or has enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression,

as specified, subject to ~~specified~~ *certain* exceptions. *The bill would require the Attorney General to develop, maintain, and post on his or her Internet Web site a current list of states that, after June 26, 2015, have enacted such a law. The bill would make it the responsibility of specified state entities to consult the list in order to comply with the travel and funding restrictions imposed by the bill.*

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) A state agency, department, board, authority, or commission,  
21 including an agency, department, board, authority, or commission  
22 of the University of California, the Board of Regents of the  
23 University of California, or the California State University, and  
24 the Legislature shall not do either of the following:  
25 (1) Require any of its employees, officers, or members to travel  
26 to a state that, after June 26, 2015, has enacted a law that voids or  
27 ~~repeals~~ *repeals, or has the effect of voiding or repealing*, existing  
28 state or local protections against discrimination on the basis of  
29 sexual orientation, gender identity, or gender expression or has

1 enacted a law that authorizes or requires discrimination against  
2 same-sex couples or their families or on the basis of sexual  
3 orientation, gender identity, or gender expression, including any  
4 law that creates an exemption to antidiscrimination laws in order  
5 to permit discrimination against same-sex couples or their families  
6 or on the basis of sexual orientation, gender identity, or gender  
7 expression.

8 (2) Approve a request for state-funded or state-sponsored travel  
9 to a state that, after June 26, 2015, has enacted a law that voids or  
10 ~~repeals~~ *repeals, or has the effect of voiding or repealing*, existing  
11 state or local protections against discrimination on the basis of  
12 sexual orientation, gender identity, or gender expression, or has  
13 enacted a law that authorizes or requires discrimination against  
14 same-sex couples or their families or on the basis of sexual  
15 orientation, gender identity, or gender expression, including any  
16 law that creates an exemption to antidiscrimination laws in order  
17 to permit discrimination against same-sex couples or their families  
18 or on the basis of sexual orientation, gender identity, or gender  
19 expression.

20 (c) Subdivision (b) shall not apply to travel that is necessary for  
21 the enforcement of California law, to meet contractual obligations  
22 incurred before January 1, 2017, or for the protection of public  
23 health, welfare, or safety.

24 (d) The prohibition on state-funded travel described in this  
25 section shall continue while any law specified in subdivision (b)  
26 remains in effect.

27 (e) (1) *The Attorney General shall develop, maintain, and post*  
28 *on his or her Internet Web site "his or her" a current list of states*  
29 *that, after June 26, 2015, have enacted a law that voids or repeals,*  
30 *or has the effect of voiding or repealing, an existing state or local*  
31 *protection against discrimination on the basis of sexual orientation,*  
32 *gender identity, or gender expression, or have enacted a law that*  
33 *authorizes or requires discrimination against same-sex couples*  
34 *or their families or on the basis of sexual orientation, gender*  
35 *identity, or gender expression, including any law that creates an*  
36 *exemption to antidiscrimination laws in order to permit*  
37 *discrimination against same-sex couples or their families or on*  
38 *the basis of sexual orientation, gender identity, or gender*  
39 *expression.*

1     (2) *It shall be the responsibility of an agency, department, board,*  
2 *authority, or commission described in subdivision (b) to consult*  
3 *the list on the Internet Web site of the Attorney General in order*  
4 *to comply with the travel and funding restrictions imposed by this*  
5 *section.*

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