

Meeting Date: Sponsor(s): City of Chicago

## Office of the City Clerk Document Tracking Sheet

### 7/20/2022

Rodriguez Sanchez (33) Ramirez-Rosa (35) Martin (47) Valencia (Clerk) Hadden (49) Villegas (36) Sigcho-Lopez (25) Vasquez, Jr. (40) Sadlowski Garza (10) Cardenas (12) Silverstein (50) La Spata (1) Rodriguez (22) Tunney (44) Scott (24) Maldonado (26) Waguespack (32) Mitts (37) Reilly (42) King (4) Taylor (20) Dowell (3) Beale (9) Moore (17) Burnett (27) Hairston (5) Taliaferro (29) Coleman (16) Osterman (48) Cappleman (46) Lee (11) Nugent (39) Ordinance

O2022-2486

Type: Title:

Amendment of Municipal Code Title 6 by adding new Chapter 6-20 entitled "Bodily Autonomy" and associated modification of Section 8-4-010 regarding penalty for disorderly conduct

Committee(s) Assignment:

Committee on Health and Human Relations

### ORDINANCE

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

**SECTION 1.** Title 2 of the Municipal Code of the City of Chicago is hereby amended by adding a new Chapter 2-175, as follows:

#### CHAPTER 2-175 THE BODILY AUTONOMY SANCTUARY CITY ORDINANCE

#### 2-175-005 Public policy of the City.

Due to the wide variety of other states' laws limiting bodily autonomy and the likelihood of all the states surrounding Illinois to limit or prohibit abortion, the clear need for the State of Illinois and the City of Chicago to serve as a sanctuary for residents from nearby states seeking to exercise their rights over their own medical care, and to effectuate the City's goals, the City Council finds that there is a need to clarify the communications and enforcement relationship between the City and the governments of other states and to clarify what specific conduct by City employees is prohibited because such conduct significantly harms the City's policy goals of protecting everyone's bodily autonomy. The purpose of this chapter is to clearly state the City's procedures regarding when the City should not assist in the enforcement of a law of another jurisdiction that is contrary to the public policy of the City in relation to bodily autonomy. Any law that authorizes a person to bring a civil action against a person or entity that does any of the following, or that criminalizes any of following acts, is contrary to the public policy of this City: (i) receiving, obtaining, or seeking any form of reproductive healthcare, including, but not limited to, an abortion and fertility treatment; (ii) performing, providing, administering any form of reproductive healthcare, including, but not limited to, an abortion and fertility treatment; (iii) receiving, obtaining, or seeking gender-affirming care; (iv) performing, providing, or administering any treatment related to gender-affirming care; (v) receiving, obtaining, administering, giving, or delivering contraception that has been approved by the US Food and Drug Association; (vi) knowingly engaging in conduct that aids, abets, facilitates, or assists with the conduct described in items (i) through (v), including providing or arranging for funding, transportation, legal counsel for such person; or (vii) attempting or intending to engage in the conduct described in items (i) through (v).

#### 2-175-010 Definitions.

For purposes of this Chapter, the following definitions shall apply:

"Agency" means every City department, agency, division, commission, council, committee, board, other body, or person established by authority of an ordinance, executive order, or City Council order.

"Agent" means any person employed by or acting on behalf of an agency.

"CPD" means the Chicago Department of Police.

"Restrictive law" means any statute, ordinance, rule, regulation, or other law that restricts an individual's bodily autonomy in a manner inconsistent with the laws of Illinois and includes laws of another state or jurisdiction that establish liabilities, penalties, or other discipline for any person performing, providing, administering, receiving, obtaining, seeking, or alding a person seeking gender-affirming health care, an abortion, contraception, fertility treatment, or other

#### Committee on Health and Human Relations

reproductive healthcare services or medication, regardless of whether such law is stylized as a charge relating to homicide, child abuse, or any other charge that is pretense for enforcing such a restrictive law.

#### 2-175-020 Enforcement prohibited – restrictive laws.

(a) Unless compelled by an order of a court of competent jurisdiction, no agent or agency shall:

- (1) participate in any law enforcement action or operation or assist in the civil enforcement of a restrictive law;
- (2) stop, arrest, detain, or continue to detain a person based solely on a restrictive law;
- (3) stop, arrest, detain, or continue to detain a person or transfer a person into the custody of another jurisdiction based solely on a request to extradite a person pursuant to a restrictive law;
- (4) permit law enforcement of another jurisdiction:
  - (A) access, including by telephone, to a person being detained by, or in the custody of, the agency or agent for purposes of investigative interviews in relation to a foreign criminal investigation for enforcement of a restrictive law; or
  - (B) use of agency facilities or data for investigative interviews or other investigative purpose in relation to a foreign criminal investigation for enforcement of a restrictive law;
- (5) expend their time or any City resources in responding to inquiries from or communicating with any State or person investigating, initiating, or pursuing a civil or criminal action against a person based on a restrictive law; or
- (6) share any information or data that may be used to determine whether an individual has violated a restrictive law.

(b) The Corporation Counsel shall consult with appropriate stakeholders to develop model policies for CPD, the Department of Public Health, community mental health centers, and any other appropriate City agencies or public facilities administered or operated by the City to: (i) ensure that all such facilities remain safe and accessible to any person alleged to have violated a restrictive law; and (ii) guarantee that all applicable staff are trained on the provisions of this ordinance, including staff who respond to Freedom of Information Act requests on behalf of public bodies. All such facilities shall establish public policies that limit data sharing in relation to allegations of violation of a restrictive law to the fullest extent possible consistent with federal and State law. The City shall also make such policies available to departments and facilities operated by Sister Agencies, as that term is defined in Section 1-23-010.

2-175-030 Enforcement of foreign warrants and restrictive laws

#### Committee on Health and Human Relations

(a) CPD shall consult with the Illinois Attorney General, the Illinois State Police, the Cook County Sheriff, Cook County State's Attorney, the Corporation Counsel, the Commissioner of Public Health, and community stakeholders, to:

(1) provide guidance to police officers as to which foreign warrants are based on alleged violations of restrictive laws and will therefore not be enforced by CPD, including both written guidance and training on the policy; and

(2) develop policies and procedures to evaluate foreign warrants relating to alleged murder, child abuse, and any other crimes that may be pretense for restrictive laws to determine whether enforcement of such warrants would violate this ordinance.

Such guidelines, policies, and procedures must: (i) aim to avoid the arrest or prolonged detention of any person identified in a warrant solely based on a restrictive law, but also have procedures to verify whether or not such warrant is for the alleged violation of a crime that is also recognized in the State of Illinois; and (ii) include, organized by the type of charge and the state initiating the warrant: (A) a classification of warrants that will not be enforced by CPD officers; and (B) a classification of warrants that require CPD personnel, in connection with the Cook County State's Attorney, CPD counsel, or other legal counsel, to review the foreign warrant and interview the person identified in the warrant to determine whether such warrant is for an alleged violation of a restrictive law. Whenever a warrant included in the list pursuant to item (ii)(B) is at issue, CPD must attempt to contact the police department that initiated the warrant for more information on the warrant. CPD's policy may establish minimum standards of the detail required in requests for assistance and warrants received from other states before CPD will assist in any law enforcement action of another jurisdiction.

Within 60 days of the effective date of this ordinance, CPD shall submit, in writing, all guidance, policies, and procedures adopted pursuant this Section to the City Council Committee on Health and Human Relations and the Committee on Public Safety. CPD shall review all applicable state laws every six months and, if applicable, update all guidance, policies, and procedures pursuant to this subsection (a), and submit the same to the City Council Committee on Health and Human Relations and the Committee on Public Safety.

(b) If CPD receives a request from a state to provide assistance with a criminal enforcement operation, a CPD supervising officer shall, in accordance with the guidance, policies, and procedures established under subsection (a), determine whether such request is to assist in the enforcement of a restrictive law. If the supervisor determines that the request is to assist in the enforcement of a restrictive law, the supervisor shall decline the request. The supervisor shall also notify the Office of Emergency Management and Communications with an identifier that indicates that the event is a request for assistance with a restrictive law and CPD shall routinely report to the Mayor, the Corporation Counsel, and the City Council Committee on Health and Human Relations and the Committee on Public Safety on any request for assistance in enforcement of a restrictive law including the sources, frequency, and nature of requests and CPD's response to such request; such report shall be anonymized with any personally identifiable information and private information redacted to protect the identities and privacy of any person alleged to have violated a restrictive law.

(c) Nothing in this section shall prohibit the investigation of any activity prohibited under Illinois law, provided that no information relating to any medical procedure performed on a specific individual or relating to any medical resources provided to a specific individual may be shared

with an out-of-state agency or any other person, unless the individual gives written authorization for such data sharing.

#### 2-175-040 No private cause of action.

This chapter does not create or form the basis for liability on the part of the City, its agents, or agencies. A remedy for the violation of this chapter shall be through the City's disciplinary procedures for officers and employees under regulations including but not limited to this City personnel rules, union contracts, civil service commission rules, or any other agency rules and/or regulations. A person alleging a violation of this chapter against a member of the CPD shall forward a complaint to the Civilian Office of Police Accountability, or any successor independent police review agency; all other complaints shall be forwarded to the Office of the Inspector General ("Inspector General") who shall process it in accordance with the complaint-processing procedures established In Chapter 2-56 of this Code except that if the Council committee, the Inspector General shall promptly transmit said complaint to the City Council Committee on Committees and Rules for processing or such successor committee having jurisdiction over said matters. Nothing in this section shall preclude an individual from seeking injunctive or declaratory relief for a violation of this Chapter.

### 2-175-050 Calls for resources related to bodily autonomy.

The City shall take reasonable steps to provide a service through 311 that provides callers with information on resources for people seeking gender-affirming care, an abortion, contraception, or other resources for exercising bodily autonomy that may be restricted in other jurisdictions, which may include directing calls to an organization that can provide assistance. If such a system is established, the City shall ensure that residents who have limited proficiency in the English language have meaningful access to such service in accordance with Chapter 2-40 of the Municipal Code of Chicago.

SECTION 2. This ordinance shall take effect upon passage and publication.

Ald, Rossana Rodriguez-Sanchez 33rd

Ald. Carlos Ramirez-Bosa 35th

Ald. Maria Hadden 49th

Ald. Matt Martin 47th



# CITY OF CHICAGO

OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## Chicago City Council Co-Sponsor Form

Document No.: 02022-2486	
Subject: Amendment of Municipal Code Title 2 by adding new Chapter 2-175 entitled "The Bodily Autonomy Sanctuary City Ordinance"	A.L.M.P.
Adding Co-Sponsor(s)	
Please ADD Co-Sponsor(s) Shown Below (Principal Sponsor's Consent Required)	
City Clerk Anna Valencia (Clerk Ward)	
(Signature)	
Alderman (33 Ward)	
(Signature)	
Date Filed: Principal Sponsor: Rosanna Rodriguez Sanchez (Signature)	ca+
Removing Co-Sponsor(s)	
Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Required</i> )	
Alderman(Ward)	
(Signature)	
Alderman (Ward)	
(Signature)	
Date Filed:	
<i>Final Copies To Be Filed With:</i> • Chairman of Committee to which legislation was referred • City Clerk	
121 NORTH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602	

Document No.: 02022-2486

Subject: Bodily Autonomy Sanctuary Ordinance

### Adding Co-Sponsor(s)

Alderman Daniel La Spata (Signature)	Ward)
Alderman(	Ward)
(Signature)	
Date Filed:7/20/2022 Principal Sponsor:	(Signature)
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Document No.: <u>02022-2486</u>

Subject: Bodily Autonomy Sanctuary Ordinance

## Adding Co-Sponsor(s)

Alderman Michael D. Rodriguez	Michael D. Ralizo	(_22Ward)
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Alderman	(Signature)	( Ward)
Date Filed:7/20/2022	Principal Sponsor:	(Signature)
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Alderman		(Ward)
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CITY OF CHICAGO

#### OFFICE OF THE CITY CLERK ANNA M, VALENCIA

## Chicago City Council Co-Sponsor Form

Document No.: 02022-2486

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Alderman			(Ward)
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	121 NORTH LASALLE S	TREET, ROOM 107, CHICAGO, I	ILLINOIS 60602

Document No.: 02022-2486

Subject: Bodily Autonomy Sanctuary Ordinance

### Adding Co-Sponsor(s)

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Document No.: 02022-2486

Subject: Bodily Autonomy Sanctuary Ordinance

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Alderman	Robert Maddonache	(16 Ward)
Alderman	Roberto Martin	(26 Ward)
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## CITY OF CHICAGO

### OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## Chicago City Council Co-Sponsor Form

Document No.: SO2022-2486
Subject: Amendment of Municipal Code Title 6 by adding new Chapter 6-20 entitled "Bodily Autonomy" and associated modification of Section 8-4-010 regarding penalty for disorderly conduct
Adding Co-Sponsor(s)
Please ADD Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)
Alderman Ald. Scott Waguespack Seattle guagest (32 Ward)
(Signature)
Alderman (Ward)
(Signature)
Date Filed: <u>9/20/2022</u> Principal Sponsor:
<b>Removing Co-Sponsor(s)</b> Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Required</i> )
Alderman ( Ward)
(Signature)
Alderman(Ward)
(Signature)
Date Filed:
Final Copies To Be Filed With: • Chairman of Committee to which legislation was referred
Final Copies To Be Filed With: • Chairman of Committee to which legislation was referred • City Clerk
121 NORTH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602

Document No.: 02022-2486

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Date Filed:			
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	ξ City Clerk		

## **Chicago City Council Co-Sponsor Form** Document No.: 02022-2486 Subject: Bodily Autonomy Sanctuary Ordinance Adding Co-Sponsor(s) Please ADD Co-Sponsor(s) Shown Below - (Principal Sponsor's Consent Required) 9Z Ward) Alderman Signature) Ward) Alderman\_\_\_ (Signature) Date Filed: \_\_\_\_7/20/2022 \_\_\_\_\_ Principal Sponsor: \_ (Signature) Removing Co-Sponsor(s) Please REMOVE Co-Sponsor(s) Below – (Principal Sponsor's Consent NOT Required) Alderman (Signature) (\_\_\_\_\_Ward) Alderman (Signature) Date Filed: *Final Copies To Be Filed With:* ξ Chairman of Committee to which legislation was referred $\xi$ City Clerk



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## CITY OF CHICAGO

OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## **Chicago City Council Co-Sponsor Form**

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Alderman	Splant	
	D, ()	(Signature)
Date Filed	d: <u>9/2//2027</u>	Principal Sponsor:

**Removing Co-Sponsor(s)** 

Please **REMOVE** Co-Sponsor(s) Below – (*Principal Sponsor's Consent NOT Required*)

Alderman		(	Ward)
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Alderman			Ward)
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Date Filed:			
Final Copies To Be Filed With:	Chairman of Committee to which legislation was referred	ed	
	• City Clerk		
121 NOF	TH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602		



CITY OF CHICAGO

OFFICE OF THE CITY CLERK ANNA M. VALENCIA

### **Chicago City Council Co-Sponsor Form**

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121 NORTH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602



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# CITY OF CHICAGO

OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## Chicago City Council Co-Sponsor Form

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Subject: Bodily Autonomy Sanchuary ordirece
Adding Co-Sponsor(s)
Please ADD Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)
Alderman David Moore (Signature)
Alderman (Ward) (Signature)
Date Filed: <u>9/2//2022</u> Principal Sponsor. Signature
<b>Removing Co-Sponsor(s)</b> Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Required</i> )
Alderman ( Ward) (Signature)
Alderman ( Ward) ( <i>Signature</i> )
Date Filed:
<ul><li>Final Copies To Be Filed With:</li><li>Chairman of Committee to which legislation was referred</li><li>City Clerk</li></ul>



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### OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## **Chicago City Council Co-Sponsor Form**

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Please ADD Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)	
Alderman	Ward)
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Date Filed: 09/21/2022 Principal Sponsor:	
<b>Removing Co-Sponsor(s)</b> Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Required</i>	)
Alderman (	Ward)
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Alderman(	Ward)
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• City Clerk	
121 NORTH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602	



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OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## **Chicago City Council Co-Sponsor Form**

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### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (*Principal Sponsor's Consent NOT Required*)

Alderman		(	Ward)
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OFFICE OF THE CITY CLERK ANNA M. VALENCIA

## Chicago City Council Co-Sponsor Form

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Adding Co-Sponsor(s)
Please ADD Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)
Alderman Ald. Scott Waguespack Settlen guages (32 Ward)
Alderman Chris Taliaferro Clt Ten 29 Ward)
(Signature)
Date Filed: <u>9/20/2022</u> Principal Sponsor:
(Signature)
<b>Removing Co-Sponsor(s)</b> Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Required</i> )
Alderman ( Ward)
(Signature)
Alderman ( Ward) (Signature)
Date Filed
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Final Copies To Be Filed With: • Chairman of Committee to which legislation was referred
• City Clerk

121 NORTH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602

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Alderman (Signature)	( <u></u> ( <u></u> Ward) ( <u>26</u> Ward)		
( (Signature) Date Filed:7/20/2022 Principal Sponsor:	(Signature)		
<b>Removing Co-Sponsor(s)</b> Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Required</i> )			
Alderman	_(Ward)		
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Alderman(Signature)	_(Ward)		
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Alderman	(Signature)	<u>( 48</u> Ward)	
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Document No.: 02022-2486

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Subject: Bodily Autonomy Sanctuary Ordinance

### Adding Co-Sponsor(s)

Alderman	t	(
$\bigcirc$ '	(Signature)	
Alderman <u>Annes Cyple</u>	(Signature)	( <u>44</u> Ward)
Date Filed:7/20/2022	Principal Sponsor:	(Signature)
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Alderman Anna Mitto	<u>(37</u> Ward)
Alderman Scott Waguespach	(32 Ward)
(Signature)	
Date Filed:7/20/2022 Principal Sponsor:	(Signature)
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Please <b>REMOVE</b> Co-Sponsor(s) Below — ( <i>Principal Sponsor's Consent NOT Re</i> Alderman	_ ( Ward)
Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Re</i> Alderman	_ ( Ward)
Please <b>REMOVE</b> Co-Sponsor(s) Below — ( <i>Principal Sponsor's Consent NOT Re</i> Alderman	_ ( Ward)
Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT Re</i> Alderman	_ ( Ward) _ ( Ward)

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Adding-Co-Sponsor(s)	
Please ADD Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Req	uired)
Alderman Samantha Nugent (Signature)	_( <u>39</u> Ward)
Alderman	_(Ward)
(Signature)	
Date Filed:7/20/2022 Principal Sponsor:	(Signature)
Removing Co-Sponsor(s)	
Please <b>REMOVE</b> Co-Sponsor(s) Below – ( <i>Principal Sponsor's Consent NOT R</i>	equired)
Alderman	_ ( Ward)
(Signature)	
Alderman	(Ward)
(Signature)	
Date Filed:	
Final Copies To Be Filed With: $\xi$ Chairman of Committee to which legislation was referre	ed
ξ City Clerk	