



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
May 24, 2017

TO THE HONORABLE, THE CITY COUNCIL OF THE
CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Chicago Commission on Human Relations, I transmit herewith an ordinance amending the Municipal Code regarding a prohibition on establishing and maintaining religious registries.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

WHEREAS, The City of Chicago ("City") is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The current presidential administration has threatened to create national registries of residents based on various demographic factors in response to an unsubstantiated threat that these residents may pose; and

WHEREAS, Since January, the presidential administration has issued executive orders seeking to bar travel from certain countries based on religion and country of origin; and

WHEREAS, It is reasonable to believe that the presidential administration will follow through on its threat to develop national registries; and

WHEREAS, Such registries have been used as a prelude for discriminatory acts, and have been used to carry out religious persecution, hate crimes, and genocide; and

WHEREAS, such registries would not contribute to the health, safety, and morals of the City of Chicago; now, therefore,

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

SECTION 1. The foregoing recitals are adopted and are incorporated into and made a part of this Ordinance.

SECTION 2. Title 2 of the Municipal Code of Chicago is hereby amended by creating a new Chapter 2-178, as follows:

CHAPTER 2-178

PROHIBITION ON PARTICIPATION IN REGISTRY PROGRAMS 2-178-010 Definitions.

For purposes of this chapter, the following definitions apply:

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

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

"Personal Demographic Information" means information concerning a person's race, color, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, source of income, credit history (within the meaning of Section 2-160-053) or criminal record or criminal history (within the meaning of Section 2-160-054) that can be used to contact, track, locate, identify, or reasonably infer the identity of, a specific individual.

"Registry Program" means a public, private, or joint public-private initiative intended to create a compilation of Personal Demographic Information stored in any form. "Registry Program" does not include the decennial census mandated by Article I, Section 2 of the United States Constitution.

2-178-020 Prohibition on Participation in a Registry Programs.

a) No Agent or Agency shall use City monies, facilities, property, equipment, or personnel to participate in or provide support in any manner for the creation, publication, or maintenance of a Registry Program.

b) Notwithstanding any other law, no Agent or Agency shall provide or disclose to any government authority Personal Demographic Information regarding any individual that is requested for the purpose of (1) creating a Registry Program; or (2) requiring registration of persons in a Registry Program. This includes a prohibition on making available Personal Demographic Information from any Agency database for such purposes, and includes any City database maintained by a private vendor under contract with the City.

c) Nothing in this Chapter prohibits an Agent or Agency from sending to, or receiving from, any local, state, or federal agency, aggregate information concerning Personal Demographic Information where such information cannot be used to identify individual persons.

d) Nothing in this Chapter prohibits an Agent or Agency from sending to, or receiving from, a federal agency charged with enforcement of federal immigration law information regarding an individual's citizenship or immigration status, lawful or unlawful. "Information regarding an individual's citizenship or immigration status, lawful or unlawful" for purposes of this Chapter, shall be interpreted consistently with Section 1373 of Title 8 of the United States Code.

e) Nothing in this Chapter prohibits an Agent or Agency from creating or maintaining a database that contains Personal Demographic Information where such information is collected for purposes of complying with anti-discrimination

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laws or laws regarding the administration of public benefits, or for purposes of ensuring City programs adequately serve the City's communities, or where the City collects this information to administer or ensure equal access to City services, benefits, contracts, and programs. For purposes of this subsection, "programs" includes permits, licenses, and other regulatory programs.

SECTION 3. This ordinance shall take full force and effect upon passage and publication.

