



P O R T L A N D
CITY AUDITOR
Council Clerk
& Contracts

March 13, 2019

TO: Note to File – Ordinance 189396

FROM: Toni Anderson
Deputy Auditor

RE: Corrections to Chapter 23.01 – Civil Rights

The City Attorney's office has approved the following bolded corrections to Ordinance No. 189396 which amends Code Chapter 23.01 passed by on February 27, 2019, effective March 29, 2019. Per Code Subsection 1.01.035 B. the Auditor has the authority to make corrections subject to City Attorney approval.

23.01.030 Correction: new content not underlined

- A. **“Sexual Orientation”** **means the** actual or supposed male or female homosexuality, heterosexuality or bisexuality.
- B. **“Source of Income”** **is** the means by which a person supports ~~themselves~~ ~~himself~~ ~~or herself~~ and ~~their~~ ~~his~~ ~~or her~~ dependents, including but not limited to money and property from any occupation, profession or activity, from any contract, settlement or agreement, from federal or state payments, court-ordered payments, gifts, bequests, annuities, life insurance policies, and compensation for illness or injury, but excluding any money or property derived in a manner made illegal or criminal by any law, statute or ordinance.
- C. **“Gender Identity”** **means** a person's actual or perceived sex, including a person's identity, appearance, expression or behavior, whether or not that identity, appearance, expression or behavior is different from that traditionally associated with the person's sex at birth.



23.01.080 Correction: new content not underlined

- B.** Any person claiming to be aggrieved by an unlawful employment practice under this Chapter may file a complaint with the Commissioner of the Bureau of Labor and Industries under procedures established in ORS 659A.~~820~~~~040~~, and any person claiming to be aggrieved by an unlawful practice under this Chapter relating to selling, renting or leasing real estate or discrimination in public accommodations, may file a complaint with the Commissioner under procedures established in ORS 659.~~045~~A.820.
- D.** Any order issued by the Commissioner of the Bureau of Labor and Industries under this Chapter shall be viewed as one issued by a hearings officer employed by the City within the meaning of ORS ~~46.045~~ 3.136(3) and shall be fully enforceable by the City.

23.01.060 Correction: Should be 659A.421 not 659.421.

- B.** In addition, it shall be unlawful to discriminate in selling, renting, or leasing real property on the basis of an individual's sexual orientation, gender identity, source of income, or age if the individual is 18 years of age or older except as is excluded in ORS 659A.~~421~~~~033~~ subsection ~~6 (a) and (b)~~, 6, 7(a)-(c), by committing against any such individual any of the acts already made unlawful under ORS.~~659A.033~~ 421 when committed against the categories of persons listed therein.

23.01.080 Correction: Should be 659A.860.

- C.** The Commissioner may then proceed and shall have the same enforcement powers under this Chapter, and if the complaint is found to be justified the complainant shall be entitled to the same remedies, under ORS 659A.~~050~~~~840~~ to 659A.~~085~~660 as in the case of any other complaint filed under ORS ~~659.040~~ ~~or~~ ~~659.045~~659A.820.

23.01.070 Correction: Delete the added second "to"

- B.** In addition, it shall be unlawful in public accommodations to discriminate on the basis of an individual's sexual orientation, gender identity, source of income or familial status, by committing against any such individual any of the acts already made unlawful under ORS 659A.~~409~~~~037~~ or ORS ~~30.670~~659A.403 to ~~30.685~~659A.406 ~~to~~ when committed against the categories of persons listed therein.