

ORDINANCE NO. _____

An ordinance codifying certain provisions of Executive Directive 17 issued by Mayor Karen Bass.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Article 7 is added to Chapter 3, Division 7 of the Los Angeles Administrative Code to read as follows:

ARTICLE 7

SECURING CITY PROPERTY

SEC. 7.500. Physical Access Controls.

Each department, bureau, or office having control of City property shall ensure that physical access controls, including secured doors and locking pedestrian and driveway gates, are installed, used, and maintained in working order to limit or otherwise restrict unauthorized access to non-public portions of City facilities and to City-owned or controlled parking lots, vacant lots, and garages.

Sec. 2. A new Article 20 is added to Chapter 1, Division 10 of the Los Angeles Administrative Code to read as follows:

ARTICLE 20

DISCLOSURE OF DATA SHARING WITH IMMIGRATION AGENCIES

SEC. 10.46. Findings and Purpose.

Today, approximately 1.5 million immigrants live in the City of Los Angeles, comprising about 38 percent of the City's total population. They, and the generations who arrived before them, have all contributed to the City's civic, social, cultural, and economic fabric. In the 47 years since adopting its initial immigration-related policies, Los Angeles has worked to support its immigrant communities and to build a relationship of cooperation and trust. To ensure that all residents continue to feel safe accessing City services, reporting crimes, seeking emergency assistance, and participating fully in civic life, the City must assert greater authority over the City's contracting processes and the City's actions as a market participant. Specifically, in this role as a market participant, the City seeks to ensure that when it expends public funds, it does so with awareness as to whether and how those expenditures align with the City's longstanding policies related to limitations on the use of City resources for immigration enforcement. Nothing in this article is intended to obstruct or otherwise impede the relationship between the Federal government and federal contractors.

Rather, this article controls City purchasing decisions by requiring City awarding authorities to obtain confirmation from those doing business with the City that they have fully and accurately disclosed any specified data collection and/or data sharing agreements they have with the U.S. Immigration and Customs Enforcement; U.S. Customs and Border Protection; and/or U.S. Citizenship and Immigration Services before a City contract with that contractor may be executed.

SEC. 10.46.1. Definitions.

The following definitions shall apply to this article:

A. **“Awarding Authority”** means the governing body, board, officer or employee of the City authorized to award a City Contract and shall include a department that has control of its own funds if the department adopts policies consonant with the provisions of this article.

B. **“Citizenship and Immigration Services”** means the agency within the United States Department of Homeland Security established pursuant to 6 U.S.C. § 271, or its successor agency.

C. **“City”** means the City of Los Angeles and all Awarding Authorities.

D. **“City Contract”** means any agreement, franchise, lease or concession, including an agreement for any occasional professional or technical personal services, for the performance of any work or service, the provision of any materials or supplies or the rendering of any service to the City, which is awarded or entered into with or on behalf of the City or any Awarding Authority of the City.

E. **“Contractor”** means any Person who enters into a City Contract.

F. **“Customs and Border Protection”** means the agency within the United States Department of Homeland Security established pursuant to 6 U.S.C. § 211, or its successor agency.

G. **“Data Collection and Dissemination”** means the direct and indirect gathering, sharing, brokering, or distribution of any data about a person or persons, whether in a physical or digital format. Data includes, but is not limited to, personally identifiable information (PII) as well as aggregated, anonymized, analytical, metric, and non-PII data about consumer information, vehicle information, financial records, biometric information, telemetry data, or geolocation.

H. **“Designated Administrative Agency (DAA)”** means the Department of Public Works, Bureau of Contract Administration, which shall bear administrative responsibilities under this article.

I. **“Immigration and Customs Enforcement”** means the agency within the United States Department of Homeland Security established pursuant to 6 U.S.C. § 252, or its successor agency.

J. **“Person”** means any individual, proprietorship, partnership, joint venture, corporation, limited liability company, trust, association or other entity that may enter into a City Contract.

K. **“Third-Party Data Sharing”** means the disclosure, transfer, transmission, provision of access, or sale of data by a Person or Contractor to any individual, private vendor, commercial broker, or entity, where such data is purposefully made available, directly or indirectly, to U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, or U.S. Immigration and Customs Enforcement.

SEC. 10.46.2. Disclosure Requirements.

A. No City Contract shall be awarded to any Person who has failed to fully and accurately complete an affidavit indicating whether they have a contract with Immigration and Customs Enforcement, Customs and Border Protection, or Citizenship and Immigration Services, involving Data Collection and Dissemination, or with another Person involving Third-Party Data Sharing.

B. Any Person that has a contract as provided in Subsection A. must disclose the following information for each contract, to the extent permitted under federal law:

- (1) The contract number and/or title for each agreement, including the specific federal agency involved;
- (2) A description of the nature of the work under the agreement; and
- (3) The terms of compensation.

C. The Awarding Authority shall have the authority to terminate a City Contract if at any time it determines a Person failed to fully and accurately complete the affidavit and disclose the information requested in this section.

SEC. 10.46.3. Continuing Reporting Requirement.

During the term of a City Contract, a Contractor who becomes a party to a contract with Immigration and Customs Enforcement, Customs and Border Protection, or Citizenship and Immigration Services, involving Data Collection and Dissemination, or with another Person involving Third-Party Data Sharing, shall have ten days from the effective date of that contract to notify the DAA and comply with the disclosure requirements specified in Section 10.46.2.

SEC. 10.46.4. Administration.

The DAA shall administer the requirements of this article. The DAA shall develop an affidavit to be used by the Awarding Authority. The DAA may promulgate rules and procedures consistent with this article for the implementation of its provisions.

SEC. 10.46.5. Application.

The provisions of this article shall apply to any City Contract, including any amendment, restatement, or extension entered into on or after the effective date of this article.

SEC. 10.46.6. Exceptions.

This article shall not be applicable to the following City Contracts:

A. Contracts for the investment of:

- (1) City trust moneys or bond proceeds;
- (2) pension funds;
- (3) indentures, security enhancement agreements for City tax-exempt and taxable financings;
- (4) deposits of City surplus funds in financial institutions;
- (5) the investment of City moneys in securities permitted under the California State Government Code and/or the City's investment policy;
- (6) investment agreements;
- (7) repurchase agreements;
- (8) City moneys invested in United States government securities; and
- (9) Contracts involving City moneys in which the Treasurer or the City Administrative Officer finds that the City will incur a financial loss or forego a financial benefit, and which in the opinion of the Treasurer or the City Administrative Officer would violate the Treasurer's or the City Administrative Officer's fiduciary duties.

B. Grant funded Contracts if the application of this article would violate or be inconsistent with the terms or conditions of a grant or grant Contract with an agency of the United States, the State of California or the instruction of an

authorized representative of any of those agencies with respect to any grant or grant Contract.

C. Contracts with a governmental entity such as the United States of America, the State of California, a county, city or public agency of one of these entities, or a public or quasi-public corporation located in the United States and declared by law to have a public status.

D. Contracts for goods covered under a United States patent and only available from a single source.

E. Contracts for repairs, alterations, work or improvements declared in writing by the Awarding Authority to be of urgent necessity for the preservation of life, health or property. The declaration shall give the reasons for the urgent necessity and must be approved by the City Council or its designee.

F. Contracts entered into during time of war or national, state or local emergency declared in accordance with federal, state or local law, where the City Council adopts a resolution by two-thirds vote and is approved by the Mayor, the suspension of any or all the restrictions of Section 371 of the Los Angeles City Charter or their applicability to the Awarding Authority.

G. Contracts for equipment repairs or parts obtained from the manufacturer of the equipment or its exclusive agent.

SEC. 10.46.7. Severability.

If any subsection, sentence, clause, or phrase of this article, or the application thereof to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article. The City Council hereby declares that it would have adopted this section, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the article would be subsequently declared invalid or unconstitutional.

Sec 3. A new Section 19.191.1 is added to Chapter 19, Division 19 of the Los Angeles Administrative Code to read as follows:

SEC. 19.191.1. Use of City Property for Staging and Processing.

(a) Each department, bureau, or office having control over a City parking lot, vacant lot, or other similar property with open space shall post each such property with signage stating:

This property is owned or controlled by the City of Los Angeles. It may only be used for its intended City

purpose and not used for immigration enforcement as a staging area, processing location, or base of operations.

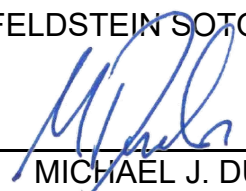
(b) Unless required by federal or state law, no City property shall be utilized as a Staging Area, processing location, or base of operations for Immigration Enforcement. For purposes of this section, "Staging Area" means an area that is used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out Immigration Enforcement operations.

Sec 4. **Severability.** If any subsection, sentence, clause, or phrase of this ordinance, or the application thereof to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By  _____
MICHAEL J. DUNDAS
Chief Assistant City Attorney

Date September 14, 2026

File No. _____

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\Executive Directive No 17.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____