

December 6, 2021

## MEMORANDUM

**To:** Community Economic Development Committee  
**From:** Asha Venkataraman, Analyst  
**Subject:** Council Bill 120241: Updating Protected Classes

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On December 10, 2021, the Community Economic Development committee will discuss [Council Bill \(CB\) 120241](#), which would amend the Seattle Municipal Code (SMC) to align with the [Washington Law Against Discrimination](#) (WLAD) and update references to protected classes.

This memorandum describes CB 120241 and highlights next steps. Central Staff has not identified any issues for Council's consideration.

### Background

On September 21, 2021, the Community Economic Development Committee discussed [CB 120180](#), which would have incorporated the addition of citizenship and immigration status as protected classes into those parts of the code over which the Office for Civil Rights (OCR) has jurisdiction (Titles 3 and 14), added an exception for when differentiating based on those statuses is permitted by law, and included the definition of "race" that is in the WLAD.

On September 15, 2021, the Committee reviewed the [Central Staff memo](#), which discussed potential amendments to CB 120180 to incorporate updating other code sections with these new protected classes. CB 120241 would include these amendments, and it was re-introduced as new legislation to reflect an update to the title. The fiscal considerations noted in the Central Staff memo are still applicable to CB 120241. The memo noted that the Council may want to consider adding funds to support education and outreach about these added protections to the City's code but that because the degree of impacts on SOCR's enforcement workload is not entirely clear at this point, in the future the Council may want to consider adding enforcement staff if there is a substantial increase in workload.

### CB 120241

This legislation would retain the changes in the transmitted version of CB 120180. It would also (a) update various other code provisions with both the new protected classes and existing protected classes that the Executive did not previously propose adding to these sections and (b) make technical changes to use the most recent language and drafting conventions. The updates not reflected in CB 120180 but in CB 120241 that are described above are to the following sections:

- [SMC 3.110.260](#): prohibiting discrimination in public corporations
- [SMC 4.80.020](#): policy for affirmative action plans

- [SMC 6.02.270](#): business license regulations
- [SMC 6.202.230](#): license code regulations
- [SMC 18.12.280](#): parks use regulations

### **Next Steps**

If the Committee recommends the legislation be passed on its December 10, 2021, meeting, Council will likely vote on CB 120241 on January 3, 2022.

cc: Esther Handy, Director  
Dan Eder, Deputy Director