



OFFICE OF THE EXECUTIVE VICE PRESIDENT—
CHIEF FINANCIAL OFFICER

OFFICE OF THE PRESIDENT
1111 Franklin Street 6th Floor
Oakland, California 94607-5200

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CHANCELLORS

Subject: Notice of New Law Prohibiting State Funding of Travel to Certain States

On September 27, 2016, Governor Brown signed into law AB 1887 (Low). Effective January 1, 2017, this law prohibits state-funded travel to a state that has passed a law after June 26, 2015 that (1) authorizes discrimination based on sexual orientation, gender identity, and gender expression, or (2) voids or repeals existing state or local protections against such discrimination. The law expressly identifies the University of California and the California State University as entities covered by the law.

The State Attorney General must develop, maintain, and post online the current list of states where travel restrictions would apply. The Attorney General has not yet posted this list.

AB 1887 provides a number of exceptions where state-funded travel will be allowed to states that are otherwise on the Attorney General's list. Please see the attached "Frequently Asked Questions" for further details on these exceptions.

The law also prohibits UC from requiring employees to travel to the states on the Attorney General's list, regardless of funding source. An employee may therefore decline to travel to one of the identified states, unless one of the statutory exceptions applies.

Please instruct your campus departments and disbursement and travel offices about this new limitation on state-funded travel, which is effective beginning January 1, 2017. Alternative funding sources other than state funds should be located for travel planned after January 1, 2017 that has already been committed and where none of the statutory exceptions applies.

As the State Attorney General identifies states that fall under this travel restriction, we will update you accordingly. If you have any questions, please contact John Barrett at (510) 987-0903.

A handwritten signature in black ink, appearing to read "Nathan Brostrom".

Nathan Brostrom
Executive Vice President and Chief Financial Officer

Attachments

cc: President Napolitano
Executive Vice President and Provost Dorr
Executive Vice President and COO Nava
Senior Vice President Henderson
Senior Vice President Peacock
Interim Senior Vice President Lohse
Vice President Budil
Vice President Ellis
Vice President Holmes-Sullivan
Vice President Humiston
Vice President Duckett
Vice President and General Counsel Robinson
Vice Chancellors-Administration
Secretary of the Regents Shaw
Chief of Staff Grossman
Associate Vice President -Systemwide Controller Arrivas
Campus Controllers
Disbursements and Travel Managers
Executive Director Kalmijn
Manager Barrett

Frequently Asked Questions Regarding AB 1887 Requirements

1. Does AB 1887 prohibit all travel to states on the Attorney General's list?

No. AB 1887 prohibits the use of state funds to pay for travel to a state on the Attorney General's list, except where one of the statutory exceptions applies. It does not affect travel that is paid for or reimbursed using non-state funds.

2. How are "state funds" defined?

State funds have been identified by the system-wide budget office as encompassing all State General Funds and State Special Fund appropriations to a campus. This includes all of the 199XX funds except those that are classified as UC General Funds (i.e.; 199331, 19933, 19934, 19940, 19941, and 19942).

3. What does it mean for travel to be "state funded"?

The statute does not define the term "state funded." OGC has interpreted the restriction on the use of state funds to apply to direct expenditures for travel-related costs (e.g., hotel and transportation) but not to the salaries or time spent by employees who travel to one of the identified states.

4. What are the exceptions where state-funded travel will be allowed to states on the Attorney General's list?

The law does not apply to travel that is required for any of the following purposes:

- 1) Enforcement of California law, including auditing and revenue collection.
- 2) Litigation.
- 3) To meet contractual obligations incurred before January 1, 2017.
- 4) To comply with requests by the federal government to appear before committees.
- 5) To participate in meetings or training required by a grant or required to maintain grant funding.
- 6) To complete job-required training necessary to maintain licensure or similar standards required for holding a position, in the event that comparable training cannot be obtained in California or a different state not affected by subdivision (b).
- 7) For the protection of public health, welfare, or safety, as determined by the affected agency, department, board, authority, or commission, or by the affected legislative office.

5. What if an athletic team has committed to participate in a bowl game or other competition in an affected state?

If a contract to participate in an event was entered into before January 1, 2017, then it would be permissible to use state funds to travel to participate in a bowl game or other type of sporting

competition. If the contract was entered into on or after January 1, 2017, then state funds should not be used for the travel.

6. Does the law prohibit travel to an affected state for research purposes?

If the travel is necessary to participate in meetings or training required by a grant, or required to maintain grant funding, then reimbursement with state funds is permitted. Otherwise, non-state funds should be used to pay for or reimburse the travel expenses.

7. Does the law prohibit admissions or athletics recruiters from traveling to states on the Attorney General's list?

No. Non-state funds should be used to pay for the travel expenses.

8. Does UC have a responsibility to continue to monitor the Attorney General's website for additional states that are added to the list of those where state-funded travel is prohibited?

Yes. UC has the responsibility to consult the list on the Attorney General's website in order to comply with the travel and funding restrictions imposed by the law. However, UC has no obligation to make a determination about whether a state that is not included on the Attorney General list should be.

9. How is travel that is reimbursed after it occurred handled under this new law?

If travel occurring after January 1, 2017 does not meet one of the exceptions noted above, then it should not be reimbursed with state funds.