

ORDINANCE NO. _____, SERIES 2026

AN ORDINANCE AMENDING CHAPTER 39 OF THE LOUISVILLE METRO CODE OF ORDINANCES TO CREATE NEW SECTIONS TO BE KNOWN AS THE SAFE HAVEN LAW AND AMENDING SECTION 37.28 OF THE LOUISVILLE METRO CODE OF ORDINANCES. (AMENDMENT BY SUBSTITUTION).

SPONSORED BY: COUNCIL MEMBERS LYNINGER AND PARRISH-WRIGHT

WHEREAS, Louisville is a welcoming city for LGBTQ+ people and according to a 2015 Gallup study has the 11th largest LGBTQ+ population in the United States; and

WHEREAS, Louisville is a regional destination for LGBTQ+ people to live and visit, which creates a responsibility for Metro Government to protect transgender and gender non-conforming people in the face of attacks by Federal and State government; and

WHEREAS, the Trump administration's repeated attacks on the rights of transgender and gender non-conforming people have led to the Federal government's attempted erasure of individuals whose gender does not match their sex assigned at birth; and

WHEREAS, the recent legislative and political attacks on transgender and gender non-conforming people by the Trump administration and numerous state governments are contrary to the values of a free society; and

WHEREAS, State and Federal laws targeting and restricting the rights of transgender and gender non-conforming people are contrary to the values of Louisville; and

WHEREAS, the Louisville Metro Council wishes to enshrine into law the principle that Louisville Metro Government will do all that it is legally permitted to do to protect and

defend the rights of transgender and gender non-conforming Louisvillians to live their lives freely; and

WHEREAS, Louisville Metro Government reiterates its commitment to equal protections for transgender and gender non-conforming community members and considers it the policy of Louisville Metro Government that their right to live their lives freely without abuse or restriction by any public or private entity shall not be abridged.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: The title of LMCO Chapter 39 is amended to include the subtitles specified herein:

Sections 39.400 to 39.408 should appear under “Safe Haven Law.”

SECTION II: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.400. Purpose. Louisville is committed to equal protection of transgender and gender non-conforming people and shall be known as a Safe Haven City for Transgender and Gender Non-Conforming People.

SECTION III: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.401. Definitions

For the purposes of §§39.400 to 39.408, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GENDER NON-CONFORMING PERSON. A person whose gender expression does not align with traditional societal expectations of masculinity or femininity.

GENDER NON-CONFORMING DRESS OR COSTUME. Clothing, hairstyles, makeup, or accessories that deviate from traditional societal expectations of how a person should appear based upon their assigned sex at birth.

METRO GOVERNMENT RESOURCES. Includes, but is not limited to: time spent by Metro employees, officers, or contractors while on duty, or the use of Metro Government property.

PUBLIC SAFETY OFFICIAL employees of the Louisville Metro Police Department ("LMPD"), Louisville Metro Department of Corrections ("LMDC") and other Metro Government peace officers.

TRANSGENDER PERSON. A person whose gender identity differs from the sex they were assigned at birth.

SECTION IV: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.402. Use of Louisville Metro Government Resources. To the extent permitted by law, no Louisville Metro Government resources, shall be used for any of the following purposes:

- (A) Detaining persons for seeking or providing gender-affirming healthcare.
- (B) Providing information about a person's gender identity as a transgender or gender non-conforming person to the federal government or any state or local government.
- (C) Restricting the ability of transgender or gender non-conforming people to access any public accommodations, programs, or services provided by Louisville Metro Government, based on their gender identity.

(D) Enforcing any local, state, or federal prohibition on entertainment by persons whose dress or costume does not align with traditional societal expectations based on their assigned sex at birth, including but not limited to prohibitions on male or female impersonators or drag performance.

(E) Assisting in the service or enforcement of subpoenas, warrants, or court orders issued by jurisdictions outside of Kentucky that seek medical records, patient information, or provider information related to gender-affirming healthcare provided in Louisville.

(F) Utilizing data collected in police investigations, including data collected by Automatic License Plate Readers to assist with enforcement of any laws originating from jurisdictions outside of Kentucky that would fall into the categories addressed in this subsection.

SECTION V: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.403. Mandatory Documentation of Bias-Motivated Incidents. To the extent permitted by law, in providing public safety services, public safety officials who receives a report of harassment, , threats, or violence where the reported victim’s actual or perceived gender identity or gender expression is a factor shall document the report in full, regardless of the employee’s personal views regarding the victim’s gender identity. Failure to document such a report, where the failure is motivated by bias regarding the victim’s gender identity, shall constitute a violation of this subchapter.

SECTION VI: A new section of Chapter 39 is created as follows:

Section 39.404. Protections for Advocates. No Metro Government employee or contractor shall deny access, withhold services, or retaliate against an individual for advocating on behalf of a transgender or gender non-conforming person. To the extent permitted by law, community organizations serving transgender and gender non-conforming residents have standing to file complaints pursuant to §39.406 when their staff or volunteers experience violations while performing organizational duties.

SECTION VII: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.405. Foster Care Protections. To the extent permitted by law, all individuals or businesses that participate in Louisville Metro Government programs, contracts, or grants that serve youth in foster care shall be required to comply with the provisions of §§ 39.402.

SECTION VIII: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.406. Complaints and Discipline.

Any employee or contractor of Metro Government who violates LMCO §§39.400 to 39.408 may be subject to disciplinary action, up to and including termination of employment or termination of contract, subject to his or her receiving all procedural due process rights to which he or she is entitled either by law or contract.

SECTION IX: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.407 Employee Training. Metro Government shall provide training on the provisions of §§39.400 to 39.408 to all Metro Government employees upon hiring.

SECTION X: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.408 Severability. If a section or subsection is found to be invalid for any reason, the remaining subsections shall continue in full force and effect.

SECTION XI: Section 37.28 of the Louisville Metro Code of Ordinances is amended as follows:

§ 37.28 REQUIREMENTS FOR AWARD OF METRO GOVERNMENT CONTRACTS.

(A) All persons, firms, corporations, or associations seeking to or desirous of bidding on contracts, leases or other agreements with the Metro Government that require an expenditure of exceeding the amount set in KRS 67C.119 shall submit in writing pursuant to adopted rules and regulations a request to the Commission for approval as a contractor or vendor prequalified under this subchapter to do business with the Metro Government.

(B) Any person, firm, corporation or association that submits an otherwise qualified bid for a contract, lease or other agreement pursuant to the provisions of KRS Chapter 45A, Model Procurement Code, KRS 424.260, or any future procurement ordinance but that has not been prequalified pursuant to this subchapter, may be approved by the Commission pursuant to its rules and regulations. Any such person, firm, or corporation which eventually is approved by the Commission shall thereafter be qualified and considered eligible for award of such contact, lease or other agreement contingent upon yearly re-evaluations under the guidelines of this subchapter.

(C) Except as set forth in subsection (D), every contract, lease or agreement awarded by the Metro Government that is required to be advertised for bids or proposals, whether pursuant to KRS Chapter 45A, Model Procurement Code, KRS 424.260, or any future procurement ordinance enacted by the Metro Government, shall include the following language:

"To the extent permitted by law, all parties hereto acknowledge this Agreement is subject to Louisville/Jefferson County Metro Government Ordinances, relating to the requirement of an affirmative action plan, or other equal employment criteria for contractors and vendors to do business with the Metro Government, and the provisions of the Louisville/Jefferson County Metro Government Ordinances relating to the Safe Haven Law under §§ 39.400 to 39.408. Failure to comply with the terms of said Ordinances will be cause for suspension, termination or cancellation of this Agreement."

(D) If a contract, lease or agreement with the Metro Government has been advertised for bids twice with no responsive bidders who have been approved by the Metro Government or recommended for approval by the Commission to the Metro Government then, and in that event, the provisions of this subchapter shall not apply to any subsequent readvertisement of that particular contract, lease or agreement.

(E) The Commission shall make available a list of all bidders who have been prequalified and shall distribute the list to the appropriate purchasing officers, employees, or agents of the Metro Government.

SECTION VIII: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

Brent Ackerson
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-075-26 Safe Haven City Ordinance Amendment by Substitution ab 6.8.26