

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	12475	Agenda Number	17.
---------------------	---------	-------	---------------	-----

Meeting Date:	1/26/2012	Department:	Legal
---------------	-----------	-------------	-------

Subject

Approve an Ordinance repealing Chapter 10-9 of the City Code, relating to notices at limited service pregnancy centers.

Amount and Source of Funding

Fiscal Note

Purchasing Language:	
Prior Council Action:	City Council adopted Chapter 10-9 on April 8, 2010
For More Information:	Contact Anne Morgan, Deputy City Attorney, 974-2507
Boards and Commission Action:	
MBE / WBE:	
Related Items:	

Additional Backup Information

The Law Department recommends repeal of the ordinance. At the time the City Council passed the ordinance in 2010, there were no court decisions ruling on the constitutionality of similar ordinances. Subsequent to its passage, federal courts in other parts of the country have ruled that certain language in this type of ordinance is unconstitutional. Those court decisions have been appealed, and it is likely the U.S. Supreme Court will be asked to address the constitutionality of this type of ordinance. The City of Austin has also been sued following issuance of the court rulings, and the Law Department recommends repeal of the ordinance to avoid further litigation costs.