



CALIFORNIA STATE UNIVERSITY, FULLERTON

Division of Administration and Finance

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DATE: August 11, 2017

TO: Campus Community

FROM: Steven Yim, Controller

SUBJECT: Update on CSU Travel Ban and Clarification on Appropriate Use of Funds

On June 23, 2017, we were informed by the Chancellor's Office that the California Attorney General added four additional states (Texas, Kentucky, South Dakota and Alabama) to the travel prohibition set forth in the state law, California Government Code Section 11139.8. This increases the total number of banned states to the eight listed below:

1. Alabama
2. Kansas
3. Kentucky
4. Mississippi
5. North Carolina
6. South Dakota
7. Tennessee
8. Texas

As you're aware, effective January 1, 2017 the CSU is restricted under California law from requiring its employees to travel to any state that has enacted a law that discriminates on the basis of sexual orientation, gender identity, or gender expression. In addition, the CSU is prohibited from approving the use of "state funds" for travel to those states. The travel restriction applies to all CSU employees, officers, or members, as well as non-employee travelers, including students.

For purposes of the travel ban, "state funds" are defined as monies that are appropriated by the legislature, either as part of the budget process or continuously appropriated (e.g., tuition and fees). These funds may not be used to pay for travel to the current list of banned states unless the travel falls under one of the following exceptions as noted in Government Code Section 11139.8:

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.
7. For the protection of public health, welfare, or safety, as determined by the CSU or other state agencies.

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Monies received by a campus Auxiliary Organization may be used for such travel, consistent with campus and auxiliary policies and procedures. Private funds may also be used for such travel. Please refer to the matrix below titled "Allowable Funding Sources for Travel to Banned States" for further details.

It is imperative that each member of the campus community adhere to the requirements set forth in the state law, California Government Code Section 11139.8. Should you have any questions, please contact Steven Yim (x4075) at syim@fullerton.edu or Mary Ann Torres, Director of Accounts Payable and Travel Operations (x5735) at mtorres@fullerton.edu , or refer to the links listed below.

REFERENCES

[California State Attorney General's Website – Assembly Bill No. 1887](#)

[CSU Travel Ban Monies Under GC 11139.8](#)

[CSU Travel Restrictions – Assembly Bill No. 1887](#)

[CSU FAQ Regarding AB 1887](#)

[CSUF Travel operations](#)

ALLOWABLE FUNDING SOURCES FOR TRAVEL TO BANNED STATES

Fund	Allowable for Travel to Banned States?
Operating Fund <i>[Includes Campus Funds: SSFGF, SW001, SW002, SW003, SW004, SW005, THEES, THEFD, THEHC]</i>	No ¹
Lottery Fund <i>[Includes Campus Funds: TLD00, TLD03, TLD06, TLD07, TLD08, TLD10, TLD12, TLD16, TLD17, TLD24, TLD25, TLD33, TLEAP]</i>	No ¹
State Capital Funds	No ¹
CERF, Parking, Trust and Special Project Funds	No ¹
ASB, Campus Union and Instructionally Related Activities (IRA) Fees held by or administered through the Associated Students of CSUF, Inc.	No ¹
Auxiliary Organization Funds	Yes ²
Private Funds	Yes ²

¹These funds may not be used to pay for travel to the current list of banned states unless the travel falls under one of the [seven exceptions](#) noted in Government Code Section 11139.8. All exceptions must be fully documented and approved in advance by the Division Head and the President.

²Auxiliary Organization Funds represent appropriate deposits held in a recognized university auxiliary organization; these include the Associated Students of CSUF, Inc. (ASI), the Cal State Fullerton Philanthropic Foundation (CSFPF), and the Cal State Fullerton Auxiliary Services Corporation (ASC). Auxiliary Organization Funds must be used in accordance with campus and auxiliary organization policies and procedures. Private funds are held exclusively by CSFPF. As noted in the table above, ASB, Campus Union and Instructionally Related Activities (IRA) fees held by or administered through the ASI may not be used.