



Legislation Details (With Text)

File #: 17-354 **Version:** 1 **Name:**

Type: Ordinance **Status:** Second Reading

File created: 4/3/2017 **In control:** City Commission

On agenda: 4/18/2017 **Final action:**

Title: ORDINANCE 18-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 133, "OFFENSES AGAINST PERSONS", BY CREATING A NEW SECTION 133.02, "PROHIBITION OF CONVERSION THERAPY ON MINORS", PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 133 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (First Reading)

Sponsors: City Attorney Department

Indexes:

Code sections:

Attachments: 1. Ord 18-17 creating new Sec 133.02 Prohibition of Conversion Therapy on Minors, 2. Conversion therapy legal opinion final

Date	Ver.	Action By	Action	Result
4/18/2017	1	City Commission	approved on first reading	Pass

TO: Mayor and Commissioners
FROM: R. Max Lohman, City Attorney
DATE: April 18, 2017

ORDINANCE 18-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 133, "OFFENSES AGAINST PERSONS", BY CREATING A NEW SECTION 133.02, "PROHIBITION OF CONVERSION THERAPY ON MINORS", PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 133 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:

Motion to Approve Ordinance 18-17 on first reading to ban the practice of Conversion Therapy on Minors in the City.

Background:

The proposed ordinance bans the practice of Conversion Therapy on minors within the City of Delray Beach. Conversation Therapy (also known as sexual orientation change efforts or "SOCE") is a form of therapy and/or counseling aimed at changing a person's sexual orientation or gender identification. As drafted, the ordinance bans persons licensed by the state including medical practitioners, psychologists, and social workers ("Providers") from using Conversion Therapy on minors within the City limits. Violation of the ordinance shall be punished by a fine not exceeding five hundred dollars

(\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both a fine and imprisonment. The ordinance does not apply to members of the clergy or other pastoral counselors that provide religious counseling to their congregants.

Presently, the City of West Palm Beach, the City of Lake Worth, the City of Boynton Beach, and the City of Riviera Beach have adopted similar ordinances.

City Attorney Review:

Approved as to form and legal sufficiency.

Finance Department Review:

N/A