

Ordinance 0019-19 – Gender Identity or Sexual Orientation Identity Change Efforts

An ordinance to amend Chapter 66 of the Municipal Code of the City of Racine, Wisconsin.

WHEREAS, it is the well documented, prevailing opinion of the medical and psychological community that conversion therapy has not been shown to be effective and that it creates a potential risk of serious harm to those who experience it; and

WHEREAS, the prevailing opinion of the medical and psychological community is documented in position statements, articles and reports published by the following organizations: the American Psychological Association, the American Psychiatric Association, the American School Counselor Association, the American Academy of Pediatrics, the American Medical Association, the National Association of Social Workers, the American Counseling Association, the American Psychoanalytic Association, the American Academy of Child and Adolescent Psychiatry and the Pan American Health organization; and

WHEREAS, in particular, the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation conducted a systematic review of peer reviewed journal literature on sexual orientation change efforts, and issued a report in 2009. The report expressed concerns that sexual orientation change efforts may increase the self-stigma, stress, and ultimately the distress of children and adolescents, and concluded that conversion therapy has not been demonstrated to be effective and that there have been anecdotal reports of harm, including depression, suicidal thoughts or actions, and substance abuse.

NOW THEREFORE, the Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Create Chapter 66, Article XXX, of the Municipal Code of the City of Racine, Wisconsin, as follows:

Article XXX. - SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS

Sec. 66-1001. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings given in this section, except where the context clearly indicates a different meaning.

Conversion therapy means any counseling, practice or treatment performed or offered for a fee with the goal of changing an individual's sexual orientation or gender identity,

including, but not limited to, efforts to change behaviors, gender identity, or gender expression, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender or sex. Conversion therapy does not include counseling that provides support and assistance to a person undergoing gender transition or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.

Gender identity and *sexual orientation* have the meanings given in section 62-26 of this code.

Minor means any person who has not attained 18 years of age.

Person means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

Reparative therapy has the same meaning as conversion therapy.

Sec. 66-1002. – Prohibition.

It shall be unlawful for any person to provide conversion therapy or reparative therapy to a minor.

Sec. 66-1003. - Penalty.

Upon conviction, any person found to be in violation of this article shall forfeit an amount as provided in section 1-15. For purposes of this section, each day a person is found to have practiced conversion therapy or reparative therapy shall be considered a separate violation.

Part 3: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A