

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CREATING SECTION 12.06.008 OF THE INDEPENDENCE CITY CODE
FOR THE PROHIBITION OF CONVERSION THERAPY OF MINORS.

WHEREAS, conversion therapy, also known as reparative therapy, ex-gay therapy, or sexual orientation and gender identity change efforts, is a range of discredited practices aimed at changing one's sexual orientation and/or gender identity; and,

WHEREAS, a national community of professionals in education, social work, health, mental health and counseling, including the American Academy of Child and Adolescent Psychiatry have determined that there is no scientifically valid evidence that supports the practice of conversion therapy; and,

WHEREAS, such professionals have determined that there is no evidence that conversion therapy is effective or that an individual's sexual orientation and/or gender identity can be changed by conversion therapy; and,

WHEREAS, such professionals have also determined that conversion therapy is not only ineffective, but is substantially dangerous to an individual's mental and physical well-being; and,

WHEREAS, the City Council of the City of Independence has a responsibility to protect the health, safety, and welfare of all people in our community, especially the physical and psychological well-being of minors, including LGBTQ+ youth; and,

WHEREAS, as a city that strives to respect and celebrate its diversity, the City Council affirms that being LGBTQ+ is not a disorder, disease, illness, deficiency, or shortcoming.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. Section 12.06.008 of the Independence City Code is hereby created to read as follows:

SEC. 12.06.008 – Conversion therapy of minors prohibited

A. Definitions. As used in this section, the following terms shall have the meaning indicated in this subsection.

1. *Conversion therapy* means any practice or treatment by a provider that seeks to change the sexual orientation or gender identity of a patient or client, including mental health therapy that seeks to change, eliminate, or reduce behaviors, expressions, attractions, or feelings related to a patient or client's sexual orientation or gender identity. *Conversion therapy* does not mean a practice or treatment by a provider that does not seek to change a patient or client's sexual orientation or gender identity, including mental health therapy that:

- a. is neutral with respect to sexual orientation and gender identity;

- b. provides assistance to a patient or client undergoing gender transition;
 - c. provides acceptance, support, and understanding to a patient or client;
 - d. facilitates a patient or client's ability to cope, social support, and identity exploration and development;
 - e. addresses unlawful, unsafe, premarital, or extramarital sexual activities in a manner that is neutral with respect to sexual orientation; or
 - f. discusses with a patient or client the patient or client's moral or religious beliefs or practices.
2. *Gender identity* means the gender-related identity, appearance, expression, behavior or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.
3. *Minor* means a person less than 18 years old.
4. *Provider* means any licensed medical or mental health professional including, but not limited to, licensed professional counselors, licensed psychologists, licensed clinical social workers, provisional licensed professional counselors, provisional and temporary licensed psychologists, licensed and provisional licensed marital and family therapists, psychiatrists, certified substance abuse counselors, certified school counselors, and any professional licensed under Chapters 334 and 337 of the Revised Statutes of Missouri. Provider does not mean a member of the clergy or a religious counselor acting substantially in a pastoral or religious capacity and not acting as a provider as defined in this Section. Provider does not mean a parent or grandparent who is a Provider as defined above who is acting substantially in the capacity of a parent or grandparent and not in the capacity of a mental health therapist.
5. *Sexual orientation* means homosexuality, heterosexuality, bisexuality, or asexuality.
- B. Prohibited practice.** It shall be unlawful for any provider to employ conversion therapy on or a minor.
- C. Penalty.** Any person in violation of subsection B above shall be subject to a fine of up to Five Hundred Dollars (\$500.00).

SECTION 2. That all other parts and provisions of the City Code remain in full force and effect unless previously or subsequently amended or repealed.

PASSED THIS _____ DAY OF _____, 2021, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager