

Proposed Local Law Number 11 Of 2018

County Of Ulster

A Local Law Prohibiting Conversion Therapy Upon A Minor Within Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The purpose of this Local Law is to ensure the physical and psychological well-being of minors by protecting Ulster County youth from nefarious and unsubstantiated quasi-medical practices.

The Ulster County Legislature finds that there is significant and substantial evidence that reparative, otherwise known as conversion therapy, causes serious psychological harm to minors who have been exposed to sexual orientation or gender identity change efforts including higher instances of depression, anxiety, substance abuse and even suicide.

The Ulster County Legislature further finds that Conversion Therapy has been discredited by virtually every American medical, psychiatric, psychological and professional counseling organization including: American Academy of Child Adolescent Psychiatry, American Academy of Pediatrics, American Association for Marriage and Family Therapy, American College of Physicians, American Counseling Association, American Medical Association, American Psychiatric Association, American Psychoanalytic Association, American Psychological Association, American School Counselor Association, American School Health Association, National Association of Social Workers, World Health Organization and the World Psychiatric Association.

The Ulster County Legislature strives to promote an inclusive and supportive culture, ensuring all visitors and residents of Ulster County feel welcome. The Ulster County Legislature desires to show solidarity with the nine states and numerous cities and counties throughout the country, including New York City and Erie County within New York State, by recognizing the harm Conversion Therapy causes children and young adults by enacting a Local Law which bans the practice in Ulster County.

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SECTION 2. DEFINITIONS

As used in this law, the following terms shall have the meanings indicated:

A. "Conversion Therapy" means any formal treatment that aims to change sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual.

B. "Minor" means any person less than eighteen (18) years of age.

C. "Reparative Therapy" has the same meaning as conversion therapy.

D. "Sexual Orientation or Gender Identity Change Efforts" means conversion therapy, reparative therapy, or any other practice that seeks to change an individual's sexual orientation or gender identity. "Sexual Orientation or Gender Identity Change Efforts" do not include psychotherapies that provide acceptance, support, and understanding for clients. And in addition do not prohibit clergy from pastoral counseling, teaching, or relaying of their religion's doctrine.

E. "Formal Treatment" is defined as a continued effort through a program or through many sessions or meetings to change a minor's sexual identity or orientation.

SECTION 3. PROHIBITION

The administering sexual orientation or gender identity change efforts, Conversion Therapy, or Reparative Therapy upon a minor within the geographic boundaries of the County of Ulster is prohibited.

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SECTION 4. PENALTIES.

Any person who knowingly violates the provisions of this Local Law shall be guilty of an unspecified misdemeanor punishable by a fine of up to \$5000 and/or up to one year in prison, and any applicable licensing board will be notified.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Secretary of State.