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Offered By: MAYOR HORRIGAN, COUNCILWOMAN MOSLEY, COUNCILWOMAN HOLLAND, AND COUNCILMAN MALIK

AKRON CITY COUNCIL

CONNOR

ORDINANCE NO. _____-2022, amending and/or supplementing Title 9 “General Provisions,” to enact Chapter 106 “Prohibition of Conversion Therapy on Minors” of the Code of Ordinances of the City of Akron to prohibit the practice of conversion therapy on minors in the City of Akron; and declaring an emergency.

WHEREAS, conversion therapy, which aims to change a person’s sexual orientation or gender identity, is a practice that is overwhelmingly shunned in the medical community, and is particularly harmful to youth; and

WHEREAS, the American Academy of Pediatrics, the American Association for Marriage and Family Therapy, the American Counseling Association, and the American Medical Association have all condemned conversion therapy, particularly when practiced on minors; and

WHEREAS, practitioners of conversion therapy operate under the erroneous assumption that non-heterosexual, non-cisgender identities are mental disorders, and that sexual orientation and gender identity can and should be changed. This assumption is not based on medical and scientific evidence and is rejected by the American Medical Association and numerous other professional healthcare associations and advocates; and

WHEREAS, practitioners of conversion therapy often employ aversive conditioning, which involves the use of electric shock, deprivation of food and liquid, smelling salts, and chemically induced nausea. It is a violation of the ethical codes of the American Psychological Association and the American Psychiatric to use aversive conditioning in an attempt to “change” a person’s sexual orientation or gender identity; and

WHEREAS, according to a 2019 study by UCLA’s Williams Institute, LGBT+ youth who have undergone conversion therapy were nearly twice as likely to consider and attempt suicide than those who hadn’t experienced conversion methods; and

WHEREAS, the City of Akron is proud to celebrate its diversity and is committed to supporting the LGBT+ community; and

WHEREAS, the City has a compelling interest in protecting the physical and psychological well-being of minors, including LGBT+ youth, and in protecting its minors against exposure to the serious harms caused by conversion therapy.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Akron:

Section 1. Title 9 “General Provisions,” Chapter 106 “Prohibition of Conversion Therapy on Minors,” Sections 106.01 through 106.03 of the Code of Ordinances of the City of Akron be, and is hereby amended to read as follows:

106.01 – Definitions.

As used in this chapter:

“Conversion therapy” means any practice or procedure that seeks to change a person’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions, or to reduce or eliminate sexual or romantic attractions or feelings toward a person of the same gender or non-binary person. Conversion therapy includes, but is not limited to, practices commonly referred to as “reparative therapy.”

“Gender expression” means a person's representation of the person's gender(s) through the person's name, choice of pronouns, clothing, haircut, behavior, voice, or other body characteristics.

“Gender identity” means a person’s internal, deeply held sense of the person's gender, which may be the same or different from the person's sex assigned at birth, and includes non-binary identities that are not solely male or female.

“Healthcare professional” means an individual who is licensed, certified or registered to provide, to an individual or a group, mental health services, including but not limited to, the assessment or improvement of mental, emotional, psychiatric, psychological, or psychosocial adjustment or functioning, regardless of whether there is a diagnosable, pre-existing disorder or disease. Healthcare professionals include, but are not limited to, physicians specializing in the practice of psychiatry, psychologists, marriage and family therapists, licensed social workers, professional clinical counselors, behavioral clinicians or therapists, nurses, or any other persons offering such mental health services.

“Minor” means a person less than eighteen years of age.

106.02 – Efforts to Change Sexual Orientation, Gender Identity or Expression Prohibited

- A. It shall be unlawful for any healthcare professional to knowingly engage in conversion therapy with a minor, without regard to whether the healthcare professional is compensated or receives any form of remuneration for the healthcare professional’s services.
- B. Nothing contained in this chapter shall be construed to prohibit a healthcare professional from engaging in any of the following:
 1. Assisting an individual who seeks to transition, is in the process of transitioning, or has transitioned from one gender to another;
 2. Providing an individual with acceptance, support, and understanding or facilitating an individual’s coping, social support, or identity exploration and development, as long as such practices do not seek to change sexual orientation or gender identity;

3. Providing an individual with sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such practices do not seek to change sexual orientation or gender identity.

106.03 – Enforcement

The Akron Civil Rights Commission shall have authority to investigate and consider complaints of a violation of this chapter, and may create such rules and procedures to receive, initiate, investigate, hold hearings, and issue orders and penalties on complaints alleging violations of this chapter.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety for the reason that it is immediately necessary to protect Akron’s LGBT+ youth from the harmful practice of conversion therapy and, provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed _____, 2022

Clerk of Council

President of Council

Approved _____, 2022

M A Y O R