

## City of Sun Prairie, Wisconsin

### AN ORDINANCE CREATING SECTION 9.08.110 – PROHIBITING THE PRACTICE OF CONVERSION THERAPY

Presented: May 18, 2021

Adopted: May 18, 2021

Publication: May 21, 2021

**Ordinance No.: #856**

## ORDINANCE

The Common Council of the City of Sun Prairie, Dane County, Wisconsin, hereby ordains as follows:

**SECTION 1.** That Chapter 9.08.110 is hereby created as follows:

9.08.110 – Prohibiting the Practice of Conversion Therapy.

A. Declaration of Policy:

- 1) This ordinance is adopted to protect the health, safety and welfare of the people of the City of Sun Prairie, especially the physical and psychological well-being of minors, including lesbian, gay, bisexual and transgender youth, and to protect them against the exposure to serious harms caused by conversion therapy.
- 2) 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.
- 3) 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, the World Health Organization, and the Pan American Health organization.
- 4) In particular, the Task Force on Appropriate Therapeutic Responses to Sexual Orientation of the American Psychological Association conducted a systematic review of peer reviewed journal literature on sexual orientation change efforts, and issued a report in 2009. The report 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.
- 5) In addition other organizations concluded that homosexuality and bisexuality are not illnesses and do not require treatment (American School Counselor Association), being transgender is not a mental disorder, conversion therapy can promote guilt and anxiety (American Academy of Pediatrics), and it may contribute to an enduring sense of stigma and self-criticism (American Psychoanalytic Association).

B. Definitions:

- 1) "Conversion therapy" means any practices or treatments offered or rendered to consumers for a fee, including psychological counseling, that seeks to change a person's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy does not include counseling that provides 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 identity exploration 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 an individual's sexual orientation or gender identity.
- 2) "Person" means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

- C. Conversion Therapy Prohibited. It is unlawful for any licensed person to practice conversion therapy with anyone under 18 years of age.
- D. Constitutionally protected activity. This section shall not be construed to apply to any constitutionally protected activity or speech.
- E. Enforcement. Upon receipt of a complaint for a violation of this section by any person licensed by the state as a physician, psychologist, social worker, marriage and family therapist, professional counselor, nurse, or chemical dependency counselor, the person receiving the complaint shall report the defendant and circumstances to the board or agency that licenses the defendant.

**SECTION 2.** Effective Date. This Ordinance shall become effective upon passage and publication as provided by law.

APPROVED: \_\_\_\_\_  
Paul T. Esser, Mayor

Date Approved: May 18, 2021

Date Signed: May \_\_\_\_\_, 2021

This is to certify that the foregoing Ordinance was adopted by the Common Council of the City of Sun Prairie at a meeting held on the 18<sup>th</sup> day of May 2021, and was submitted for signatures on the 19<sup>th</sup> day of May, 2021.

\_\_\_\_\_  
Elena Hilby, City Clerk