

# Broward County



## Legislation Details (With Text)

**File #:** 20-2171      **Version:** 1

**Status:** Agenda Ready

**In control:** County Commission

**On agenda:** 12/8/2020      **Final action:** 12/8/2020

**Title:** MOTION TO DIRECT Office of the County Attorney to prepare an Ordinance to amend or otherwise conform Section 16½ 166, et seq., Prohibition on Conversion Therapy on Minors, of the Broward County Code of Ordinances (“Code”) to address a recent decision by the 11th Circuit Court of Appeals. (Commissioner Rich)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Additional Material - Information

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Nan H. Rich

**Department:** County Commission

### Information

#### Requested Action

MOTION TO DIRECT Office of the County Attorney to prepare an Ordinance to amend or otherwise conform Section 16½ 166, et seq., Prohibition on Conversion Therapy on Minors, of the Broward County Code of Ordinances (“Code”) to address a recent decision by the 11th Circuit Court of Appeals. (Commissioner Rich)

#### Why Action is Necessary

Board direction is required for the Office of the County Attorney to draft amendments to the Broward County Code of Ordinances.

#### What Action Accomplishes

Directs the Office of the County Attorney to draft an amendment or otherwise conform the Code to address a recent decision issued by the 11th Circuit Court of Appeals.

#### Is this Action Goal Related

No

#### Previous Action Taken

#### Summary Explanation/Background

On January 9, 2018, the Board enacted Ordinance No. 2018-03, prohibiting a state-licensed

professional counselor from engaging in conversion therapy or reparative therapy with a minor. Multiple local and state jurisdictions throughout the United States have passed similar statutes or ordinances prohibiting conversion therapy. Conversion therapy or reparative therapy is counseling performed 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.

On November 20, 2020, the 11th Circuit Court of Appeals (the federal appellate circuit having jurisdiction over Florida) found that the conversion therapy ordinances of the City of Boca Raton and Palm Beach County, which are similar to the County's ordinance, violated the free speech protections of the First Amendment.

This item would direct the Office of the County Attorney to prepare an amendment to conform the County's ordinance with the recent decision of the 11th Circuit Court of Appeals.

**Source of Additional Information**

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

To be determined by the Office of Management and Budget upon presentation of a draft Ordinance.