

# Broward County

# Legislation Details (With Text)

File #:	22-1195	Version: 1			
			Status:	Agenda Ready	
			In control:	PUBLIC HEARING	
On agenda:	8/25/2022		Final action:	8/25/2022	
Title:	MOTION TO ENACT Ordinance, the title of which is as follows:				
	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE PROHIBITION OF CONVERSION THERAPY ON MINORS; REPEALING SECTIONS 16½-166 THROUGH 16½-169 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE. (Sponsored by the Board of County Commissioners)			I MINORS; NTY CODE OF	
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Exhibit 1 - Copy of Proposed Ordinance				
Date	Ver. Action By	,	Act	on	Result

# **Broward County Commission Regular Meeting**

Director's Name:	Andrew J. Meyers	
Department:	County Attorney	

### **Information**

### Requested Action

MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE PROHIBITION OF CONVERSION THERAPY ON MINORS; REPEALING SECTIONS 16½-166 THROUGH 16½-169 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

#### Why Action is Necessary

The proposed Ordinance was prepared by the Office of the County Attorney in response to the below -referenced federal court decision.

#### What Action Accomplishes

Allows for the Board's consideration of the proposed Ordinance.

# Is this Action Goal Related

No

# Previous Action Taken

# Summary Explanation/Background

On December 8, 2020, the Board directed the Office of the County Attorney to prepare an Ordinance or otherwise conform Section 16½-166, et seq., of the Broward County Code of Ordinances ("Code"), Prohibition on Conversion Therapy on Minors, to address a decision by the Eleventh Circuit Court of Appeals finding that a similar local ordinance was unconstitutional. The Board also authorized the Office of the County Attorney to join, on behalf of Broward County, an amicus brief filed by the City of Miami and the City of Miami Beach in support of a motion for rehearing and rehearing en banc (en banc means that the entire appeals court, and not merely a three-judge panel, reviews the case) before the Eleventh Circuit Court of Appeals in Otto v. City of Boca Raton. The Eleventh Circuit denied the motion.

The proposed Ordinance would repeal Sections 16½-166 through 16½-169 of the Code. If the proposed Ordinance is enacted the County will continue to analyze and meet with stakeholders about potentially replacing the Ordinance. Further specifics regarding this matter will be addressed during agenda briefings.

This public hearing has been advertised with adequate notice to allow the Board's consideration of this item on August 25, 2022.

# Source of Additional Information

Adam M. Katzman, Senior Assistant County Attorney, 954-357-7600

# Fiscal Impact

# Fiscal Impact/Cost Summary

Per the Office of Management and Budget, the estimated impact on the budget does not exceed the threshold required for a Fiscal Impact Statement.