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City Clerk


Gen. Ord. No. 5 - 19 - 20. By Alderpersons Sorenson, Ackley, Donohue,
Felde and Savaglio. July 15, 2019.

AN ORDINANCE creating section 70-86 of the Municipal Code, entitled
"Conversion Therapy Prohibited," regulating the practice of conversion
therapy with regard to minors.

WHEREAS, The City of Sheboygan is a welcoming community to all
people, and does not accept bigotry and hate; and

WHEREAS, contemporary science recognizes that being lesbian, gay,
bisexual or transgender is part of the natural spectrum of human identity
and is not a disease, disorder, or illness; and

WHEREAS, "conversion therapy," also known as reparative therapy, is
defined as 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;
and

WHEREAS, 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; and

WHEREAS, conversion therapy has been rejected by every mainstream
medical and mental health organization, including the American
Psychological Association, American Psychiatric Association, American
Medical Association, American Academy of Pediatrics, American Academy of
Child and Adolescent Psychiatry, American Counselor Association, American
School Health Association, National Association of Social Workers and the
Pan American Health Organization; and

WHEREAS, it is well documented that the prevailing opinion of the
medical and psychological community is 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, including depression, anxiety, substance
abuse, homelessness, and suicidality; and

WHEREAS, in 2015 the White House Office of Communications released a
document critical of conversion therapy titled "Why Conversion Therapy

Hurts All of Us"; and

WHEREAS, data from the State of Wisconsin Youth Risk Behavior Survey (YRBS) done in 2017 indicates that 41% of youth surveyed that are LGBT have considered suicide vs. 16.4% overall, 1 in 2 LGBT students reports depression vs. 27% overall, and 67% of LGBT students report anxiety vs. 40% overall; and

WHEREAS, the Therapeutic Fraud Prevention Act, which bans conversion therapy nationwide, has been introduced in the 114th United States Congress and the 115th United States Congress, while 16 states and more than 50 counties, municipalities and communities, including Madison, Milwaukee, Eau Claire, and Cudahy in Wisconsin, have passed legislation making the practice of conversion therapy for minors illegal, with fourteen additional states proposing similar legislation which is pending; and

WHEREAS, in the 2018 Wisconsin legislative session, Assembly Bills 349 and 261 seeking to prohibit mental health providers from engaging in conversion therapy of minors in Wisconsin were introduced. However, neither of these bills made it out of committee. In the current legislative session, such a ban has been introduced via Senate Bill 107 and Assembly Bill 111, co-sponsored by, among others, Rep. Tyler Vorpagel, who represents portions of the northern part of the City of Sheboygan in the Assembly. It appears likely, however, that the bill will not be passed in this session, and conversion therapy will remain unregulated by the State of Wisconsin; and

WHEREAS, this ordinance is adopted to promote the health, safety and welfare of the people of the City of Sheboygan, 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.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 70-86 of the Municipal Code is hereby created to read as follows:

"Sec. 70-86. *Conversion Therapy Prohibited.*

(a) 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 attractions or romantic attractions or feelings towards 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.
- (b) It is unlawful for any person to practice conversion therapy with anyone under 18 years of age.
- (c) Any person practicing "conversion therapy" as defined herein within the City of Sheboygan shall be referred to the State of Wisconsin Department of Safety and Professional Services, which regulates therapy services and professional counseling."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Gary Saena

Mark S. Dr

Barbara Felder

Betty A. Bou-Ackky

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 5th day of August, 2019.

Dated August 6, 2019. Maudita D. Ben City Clerk

Approved August 6, 2019. Mike J. Kauder, Mayor

Published August 10, 2019.

Certified August 6, 2019 to - Atty.; Planning; Mayor