



ITEM SUMMARY

MEETING DATE: October 17, 2022

FROM: Andrea McCue, City Manager, Administration
Christy Goddeau, City Attorney

SUBJECT: Ordinance 2022-33 Conversion Therapy Ban Repeal

BACKGROUND

In the Case of Otto, et al vs. City of Boca Raton and County of Palm Beach, Florida, 981 F. 3d 854 (11th Cir. 2020) the United States Court of Appeals for the Eleventh Circuit found the City of Boca Raton's prohibition on conversion therapy to be an unconstitutional restriction on speech in violation of the First Amendment to the United States Constitution.

ANALYSIS

Through Ordinance 2017-15 the City's Code of Ordinances similarly prohibits the practice of conversion therapy on any minor with the City. The City recognizes the potential impacts of the Courts decision and therefore it is prudent to repeal Section 8-74 of the City's Code of Ordinances.

Ordinance 2022-33 was approved 4-1 (Councilmember Noble dissenting) on September 28, 2022.

FINANCIAL INFORMATION

N/A

LEGAL

The City Attorney's Office has prepared this Ordinance and any supporting documents.

STAFF RECOMMENDATION

Staff is recommending approval of Ordinance 2022-33 on second reading.