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2 **City of Roseville**
3 **ORDINANCE NO.**

4
5 **AN ORDINANCE AMENDING**

6
7 **TITLE 3, BUSINESS REGULATIONS**

8
9 **PROHIBITING THE PRACTICE OF CONVERSION THERAPY IN THE CITY**
10 **OF ROSEVILLE**

11
12 THE CITY OF ROSEVILLE, MINNESOTA, HEREBY ORDAINS:

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14 SECTION 1: Title 3, Section 315 of the Roseville City Code is created to read as
15 follows:

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17 315.01 Purpose and Findings

18 315.02 Definitions

19 315.03 Conversion Therapy Prohibited

20 315.04 Exceptions

21 315.05 Enforcement and Penalties

22 315.06 Severability

23
24 **512.01 PURPOSE AND FINDINGS.**

25 The City Council finds:

26 (a) Conversion therapy and related practices lead to critical short and long-term
27 health risks and inequities including an increased risk of depression, anxiety,
28 substance abuse, and suicide.

29 (b) Local and national medical, mental health, and child welfare professional
30 associations, including the National Association of Social Workers – Minnesota,
31 American Medical Association, American Psychological Association, American
32 Academy of Pediatrics, and American Psychiatric Association have denounced and
33 rejected conversion therapy and related practices as harmful and ineffective.

34 (c) In support of the city's continued commitment to supporting the LGBTQIA+
35 community, the city has an interest in protecting the physical and mental well-being
36 of minors and vulnerable adults by protecting them against the harm caused by
37 conversion therapy and related treatment practices.

38 (d) LGBTQIA+ minors and vulnerable adults are more likely to be exposed to
39 conversion therapy and related treatments due to an inability to make decisions
40 regarding their own physical and mental health.

41 (e) It is necessary for the City Council to further support the LGBTQIA+
42 community by using its authority in the city to protect the city's minors and
43 vulnerable adults from exposure to conversion therapy and related treatments.

44 (f) Therefore, this ordinance is intended to protect the residents of and visitors to the
45 City from serious physical or psychological harm caused by the practice of
46 conversion therapy treatment on minors and vulnerable adults.

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48 **315.02. DEFINITIONS**

49 The words and phrases used in this Section of City Code shall have the meanings
50 ascribed to them as follows:

51 (a) **CLERGY OR RELIGIOUS OFFICIAL.** Any religious officials,
52 including ministers, priests, rabbis, imams, Christian Science practitioners,
53 and other persons recognized by the Minnesota Board of Psychology and
54 defined under Minnesota Statutes §148.9075, conducting counseling activities
55 that are within the scope of the performance of their regular recognizable
56 religious denomination or sect, as defined in current federal tax regulations, if
57 the religious official does not self-represent as a Provider and the official
58 remains accountable to the established authority of the religious denomination
59 or sect.

60 (b) **CONVERSION THERAPY.** Any practice, conduct, or treatment by a
61 Provider that seeks to change an individual's Sexual Orientation or Gender
62 Identity, including efforts to change behaviors or Gender Expressions or to
63 eliminate or reduce sexual or romantic attractions or feelings toward
64 individuals of the same gender. Conversion Therapy shall not include any
65 mental health services that provide assistance to an individual undergoing
66 gender transition, or mental health services that facilitate an individual's
67 identity exploration and development, including sexual orientation-neutral
68 interventions to prevent unlawful conduct or unsafe sexual practices, as long
69 as the mental health services do not seek to change an individual's Sexual
70 Orientation or Gender Identity.

71 (c) **GENDER EXPRESSION.** A person's expression of Gender Identity
72 through appearance and behavior.

73 (d) **GENDER IDENTITY.** A person's sense of self as a male, female, other
74 gender, or genderless.

- 75 (e) MINOR. Any person under the age of eighteen (18) years of age.
- 76 (f) PROVIDER. Any individual who is licensed, certified, or registered
77 under the laws of the State of Minnesota to provide mental health services as
78 a mental health practitioner and/or mental health professional, as defined
79 under Minnesota Statutes §245.462, including but not limited to physicians,
80 psychologist, marriage and family therapists, social workers, clinical
81 counselors, behavioral clinicians and therapists, and nurses.
- 82 (g) SEXUAL ORIENTATION. A component of identity relevant to a
83 person's sexual and emotional attraction to another person and the behavioral
84 or social affiliation that results from such attraction.

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86 **315.03 CONVERSION THERAPY PROHIBITED**

87 It is unlawful for any Provider to practice or conduct Conversion Therapy on a Minor
88 within the City. Any Provider who violates this prohibition is subject to the penalties set
89 forth in Section 315.05 of this Code.

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91 **315.04 EXCEPTIONS**

92 The prohibition on Conversion Therapy contained in Section 315.03 of this Code does
93 not apply to:

- 94 (a) Conversion Therapy practiced or conducted by Clergy or Religious
95 Officials.
- 96 (b) Conversion Therapy practiced or conducted on Minors who are lawfully
97 able to give effective consent to medical and mental health services under
98 Minnesota Statutes §144.341.

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100 **315.05 ENFORCEMENT AND PENALTIES**

101 Any violation of Section 315.03 shall constitute an administrative offense under Chapter
102 102 and will be enforced exclusively through the administrative procedure and hearing
103 process set forth in Section 102.01.C of City Code.

104 The administrative fine for a first violation of Section 315.03 shall be determined by the
105 City Council and set forth in the City's Fee Schedule. Subsequent violations shall be
106 subject to the increased administrative fine described in Section 102.01.C.12 of this
107 Code.

108 Each instance or session of unlawful Conversion Therapy under this Code is a separate
109 offense and violation of Section 315.03.

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111 SECTION 2: Effective date. This ordinance shall take effect upon its passage and
112 publication.

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122 Passed by the City Council of the City of Roseville this ___th day of _____ 2021.

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Ordinance – Prohibiting Conversion Therapy on Minors -

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130 (SEAL)

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CITY OF ROSEVILLE

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BY: _____

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Daniel J. Roe, Mayor

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137 ATTEST:

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140 _____
Patrick Trudgeon, City Manager

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