



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#22-0943

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Alain E. Boileau, City Attorney

DATE: October 3, 2022

TITLE: First Reading - Ordinance Repealing Article IX – “Prohibition of Conversion Therapy on Minors” of Chapter 29 – Human Rights of the City of Fort Lauderdale, Florida Code Of Ordinances – (Commission Districts 1, 2, 3 and 4)

Recommendation

It is recommended that the City Commission adopt the attached proposed Ordinance repealing Article IX – “Prohibition of Conversion Therapy on Minors” of Chapter 29 – Human Rights of the City of Fort Lauderdale, Florida Code of Ordinances.

Background

On September 17, 2019, the City Commission of the City of Fort Lauderdale, Florida adopted Ordinance No. C-19-30 creating Chapter 29, entitled “Human Relations” intending to secure for all individuals within the City freedom from discrimination because of race, color, religion, sex, national origin, age, marital status, political affiliation, familial status, disability, sexual orientation, pregnancy, gender identity or expression, veteran or service member status, lawful source of income, or being the victim of dating violence, domestic violence, or stalking, in connection with employment, public accommodations, or real estate transactions, where applicable, and thereby to promote the interests, rights, and privileges of individuals within the City. Article IX of Chapter 29 prohibits the engaging in conversion or reparative therapy with minors. The United States Eleventh Circuit Court of Appeals issued a Mandate on Monday, August 1, 2022, finding that ordinances prohibiting conversion therapy on minors violated the First Amendment and were therefore unconstitutional. Consistent with the court’s mandate, this proposed ordinance will repeal portions of Chapter 29, specifically Article IX, that prohibit conversion or reparative therapy on minors.

Resource Impact

The adoption of this Ordinance has no direct fiscal impact on the City of Fort Lauderdale.

Attachments

Exhibit 1 – Ordinance No. C-19-30

Exhibit 2 – Eleventh Circuit Court of Appeals Mandate

Exhibit 3 – Proposed Ordinance

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Charter Officer: Alain E. Boileau, City Attorney