



Legislation Text

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Int. No. 1650-A

By The Speaker (Council Member Mark-Viverito), Council Members Dromm, Levin, Salamanca, Constantinides, Rosenthal, Rodriguez, Kallos, Menchaca, Mendez and Garodnick

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting conversion therapy

Be it enacted by the Council as follows:

Section 1. Chapter 5 of Title 20 of the administrative code of the city of New York is amended by adding a new subchapter 19 to read as follows:

Subchapter 19

Conversion Therapy Prohibition

§ 20-824 Definitions. For the purposes of this subchapter, the term “conversion therapy” means any services, offered or provided to consumers for a fee, that seek to change a person’s sexual orientation or seek to change a person’s gender identity to conform to the sex of such individual that was recorded at birth.

§ 20-825 Prohibited conduct. It is unlawful for any person to offer or provide conversion therapy services. This prohibition does not proscribe services that provide assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person’s sexual orientation 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 services do not seek to change an individual’s sexual orientation or gender identity.

§ 20-826 Enforcement. Any person who violates section 20-825 of this subchapter or any of the regulations promulgated thereunder is liable for a civil penalty not to exceed \$1,000 for the first violation,

\$5,000 for the second violation, and \$10,000 for each subsequent violation. A proceeding to recover any such civil penalty shall be commenced by the service of a notice of violation returnable to any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings. For the purposes of this section, each instance a person is found to have violated section 20-825 shall be considered a separate violation, except that multiple violations of section 20-825 with regards to the same consumer shall be considered a single violation.

§ 20-827 Rules and regulations. The department may promulgate such rules and regulations as it deems necessary to implement and enforce the provisions of this subchapter.

§2. This local law takes effect 120 days after it becomes law, except that the commissioner of consumer affairs may take any actions necessary prior to such effective date for the implementation of this local law, including, but not limited to, the adoption of any necessary rules.

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