

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

FILED
STATE RECORDS

MAR 07 2018

DEPARTMENT OF STATE

County City Town Village
(Select one)
of Erie

Local Law No. 1 of the year 20 18

A local law Erie County Conversion Therapy Ban
(insert title)

Be it enacted by the _____ of the
(Name of Legislative Body)

County City Town Village
(Select one)
of Erie

as follows:

Section 1: Legislative Intent

The purpose of this law is to ensure the physical and psychological well-being of minors. There is significant evidence that reparative or conversion therapy can cause serious psychological harm to minors who have been exposed to sexual orientation or gender identity change efforts. The practice is opposed by nearly all leading health agencies including: American Academy of Child Adolescent Psychiatry, American Academy of Pediatrics, American Association for Marriage and Family Therapy, American College of Physicians, American Counseling Association, American Medical Association, American Psychiatric Association, American Psychoanalytic Association, American Psychological Association, American School Counselor Association, American School Health Association, National Association of Social Workers, World Health Organization and the World Psychiatric Association.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 2: Definitions

A. "Conversion therapy" means any formal treatment that aims to change sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual.

B. "Minor" means any person less than eighteen (18) years of age.

C. "Reparative therapy" has the same meaning as conversion therapy.

D. "Sexual Orientation or Gender Identity Change Efforts" means conversion therapy, reparative therapy, or any other practice that seeks to change an individual's sexual orientation or gender identity. "Sexual Orientation or Gender Identity Change Efforts" do not include psychotherapies that provide acceptance, support, and understanding for clients. And in addition do not prohibit clergy from pastoral counseling, teaching, or relaying of their religion's doctrine.

E. "Formal Treatment" is defined as a continued effort through a program or through many sessions or meetings to change a minor's sexual identity or orientation.

Section 3: Prohibition

The administering sexual orientation or gender identity change efforts, conversion therapy, or reparative therapy upon a minor within the geographic boundaries of the County of Erie is prohibited.

Section 4: Penalties

Any person who knowingly violates the provisions of this local law shall be guilty of an unspecified misdemeanor punishable by a fine of up to \$1000 and or up to one year in prison.

Section 5: Effective Date

This local law shall be effective upon filing with the Secretary of State.

Section 6: Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such judgment or order shall be rendered.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 18 of the (County) _____ of Erie was duly passed by the Erie County Legislature on February 15 20 18, and was (approved)(not approved) (repassed after disapproval) by the Erie County Executive and was deemed duly adopted (Elective Chief Executive Officer*) on March 5 20 18, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

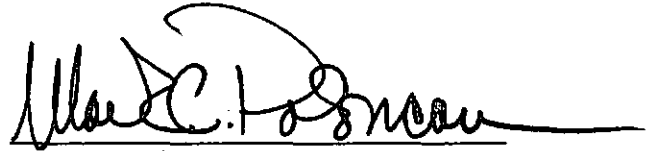
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/6/18

(See)

A Public Hearing was held on the foregoing **Local Law Intro. No. 5-2-2017 on February 23, 2018** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, **MARK C. POLONCARZ**, County Executive of Erie County, do hereby **APPROVE** and **SIGN** said Local Law this 5 day of March, 2018.



Mark C. Poloncarz

A Public Hearing was held on the foregoing **Local Law Intro. No. 5-2-2017 on February 23, 2018** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, **MARK C. POLONCARZ**, County Executive of Erie County, do hereby **DISAPPROVE** and **VETO** said Local Law this ___ day of _____, 2018.

Mark C. Poloncarz