

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.

County City Town Village
(Select one.)

of ALBANY

FILED
STATE RECORDS

AUG 31 2018

DEPARTMENT OF STATE

Local Law No. 3 of the year 2018

A local law TO PROHIBIT THE USE OF CONVERSION THERAPY FOR MINORS IN ALBANY

(Insert Title)
COUNTY

Be it enacted by the ALBANY COUNTY LEGISLATURE of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of ALBANY

as follows:

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

(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.

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. ³ _____ of 20¹⁸ of the (County)(City)(Town)(Village) of ALBANY was duly passed by the ALBANY COUNTY LEGISLATURE on 7/9 20¹⁸, and was (approved)(~~not approved~~) (repassed after disapproval) by the COUNTY EXECUTIVE and was deemed duly adopted on 8/2/ 2018, 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) (repassed after disapproval) by the _____ on _____ 20____.

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) (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.)

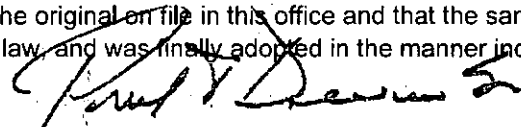
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.)

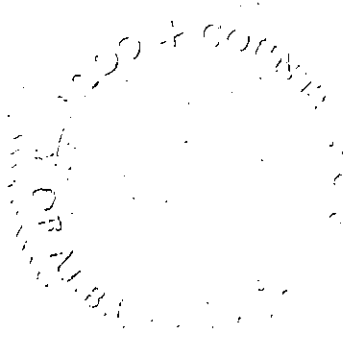
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.



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

Date: 8/30/18

(Seal)



LOCAL LAW NO. 3 FOR 2018

A LOCAL LAW TO PROHIBIT THE USE OF CONVERSION THERAPY FOR MINORS IN ALBANY COUNTY

Introduced: 3/12/18

By Messrs. Clenahan, A. Joyce, Feeney, Bullock, Ms. Chapman, Messrs. Clay, Commisso, Ethier, Fein, R. Joyce, Mss. McKnight, McLean Lane, Messrs. Miller, O'Brien, Ms. Plotsky, Mr. Simpson and Ms. Willingham:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Legislative Intent.

The Legislature finds that conversion therapy is a form of treatment that is designed to change an individual's sexual orientation from homosexual to heterosexual, usually through psychological means.

The Legislature further finds that the American Psychological Association, the American Psychiatric Association and the American Medical Association have all denounced conversion therapy as ineffective and potentially harmful.

The Legislature further finds that conversion therapy is a harmful and discredited practice that uses rejection, shame and psychological abuse aimed at changing sexual orientation or gender identity/expression.

Section 2. Definitions

As used in this Local Law, the following terms shall have the meanings indicated:

- (a) "Conversion therapy" shall mean 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.
- (b) "Minor" shall mean anyone under eighteen (18) years of age.

Section 3. Prohibitions.

It is unlawful for any person to offer or provide conversion therapy services to a minor. 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.

Section 4. Penalties for offenses.

Any person who violates this Local Law or any of the regulations promulgated thereunder is liable for a civil penalty not to exceed \$1,000 for the first violation, \$2,500 for the second violation, and \$5,000 for each subsequent violation. Each instance a person is found to have violated this Local Law shall be considered a separate violation, except that multiple violations of this Local Law with regards to the same consumer shall be considered a single violation.

Section 5. Rules and Regulations.

The Albany County Human Rights Commission may promulgate such rules and regulations as it deems necessary to implement and enforce the provisions of this Local Law.

Section 6. Applicability.

This article shall apply to all actions occurring on or after the effective date of this Local Law.

Section 7. 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 or 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 in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 8. Effective Date.

This Local Law shall take effect within sixty (60) days of its filing with the Secretary of State.

State of New York

County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 9th day of July, 2018, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 10th day of July, 2018.

A handwritten signature in cursive script, appearing to read "Paul J. Deane", is written over a horizontal line.

Clerk, Albany County Legislature