

ORDINANCE NO. 2523

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF PRAIRIE VILLAGE, KANSAS; AMENDING CHAPTER XI (PUBLIC OFFENSES AND TRAFFIC), ARTICLE 2 (LOCAL REGULATIONS), SECTION 11-223 OF THE CODE OF THE CITY OF PRAIRIE VILLAGE.

WHEREAS, The American Psychological Association, the American Psychiatric Association, the American Academy of Pediatrics, the American Medical Association, the American Counseling Association, the American Academy of Child and Adolescent Psychiatry, the American School Counselor Association, the National Association of Social Workers, and other mental health and medical organizations in the United States have determined that efforts to change an individual's sexual orientation or gender identity are harmful and ineffective;

WHEREAS, In 2009, the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation conducted a systematic review of peer-reviewed research and concluded that sexual orientation change efforts are unlikely to be successful and involve risk of harm, including depression, suicidality, and anxiety;

WHEREAS, In 2021, the American Psychological Association adopted a resolution calling for the elimination of sexual orientation and gender identity change efforts, concluding that sexual orientation and gender identity change efforts are harmful and ineffective in changing a person's sexual orientation or gender identity;

WHEREAS, The scientific and clinical consensus establishes that sexual orientation or gender identity change efforts pose serious risks of harm to patients, including depression, guilt, helplessness, hopelessness, shame, social withdrawal, suicidality, substance abuse, stress, self-blame, decreased self-esteem, feelings of anger and betrayal, loss of religious faith, alienation from family, problems in sexual and emotional intimacy, sexual dysfunction, high-risk sexual behaviors, feelings of being dehumanized, and a sense of having wasted time and resources;

WHEREAS, The psychological harms described in this declaration result from efforts to direct a patient toward a predetermined outcome regarding the patient's sexual orientation or gender identity, regardless of the nature of that predetermined outcome;

WHEREAS, Prairie Village is a home rule city under Article 12, Section 5 of the Kansas Constitution, and is therefore vested with authority to enact ordinances protecting the health, safety, and welfare of its residents and is therefore empowered to determine its local affairs and government by ordinance, including the enactment of measures to protect the public health, safety, and welfare of its residents, consistent with the Kansas Constitution and applicable state law.

WHEREAS, the Governing Body is committed to ensuring that minor residents and visitors who seek therapeutic care are not exposed to practices that are empirically shown and likely to be dangerous and life-threatening, and finds that prohibiting the provision of such care when in exchange for compensation is a necessary and appropriate exercise of the City's power;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, THAT:

Section 1. That Chapter XI, Public Offenses and Traffic, Article 2, Local Regulations, Section 11-223 is hereby amended as follows:

SEC. 11-223 – ACTIONS BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS - LIMITATION AND PROHIBITION.

- A. Policy and Findings by the Governing Body.** The City of Prairie Village, Kansas, has a compelling interest in protecting the physical and psychological well-being of minors of all gender identities and of all sexual orientations, from exposure to the harms and risks caused by sexual orientation or gender identity change efforts conducted by licensed providers. These provisions are exercises of the police power of the City for the public safety, health and welfare; and its provisions shall be liberally construed to accomplish that purpose.
- B. Definitions.** As used in this section, the following terms shall have the meaning indicated in this subsection.
- (1) Gender identity means an individual's actual or perceived (by the individual or another) gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics regardless of the individual's designated sex at birth.
 - (2) Minor means a person less than eighteen (18) years of age.
 - (3) Provider means any licensed medical or mental health professional including, but not limited to, licensed professional counselors, licensed psychologists, licensed clinical social workers, provisionally licensed professional counselors, provisional and temporary licensed psychologists, licensed and provisionally licensed marital and family therapists, psychiatrists, certified substances abuse counselors, certified school counselors, behavior analysts and any professional licensed under Chapter 65 of the Kansas Statutes.
 - (4) Sexual orientation or gender identity change efforts means any practice, counseling, or purported treatment by a provider that seeks to direct a patient toward a predetermined sexual orientation or gender identity outcome, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of a particular sex or gender, regardless of the sexual orientation or gender identity the patient is directed toward.
 - (5) Sexual orientation or gender identity change efforts does not include:
 - i. counseling or therapy that provides acceptance, support, and understanding of a patient or facilitates a patient's coping, social support, and identity exploration and development, without seeking to direct the patient toward a predetermined sexual orientation or gender identity outcome;
 - ii. counseling or therapy that is neutral with respect to sexual orientation and gender identity and that does not seek to direct the patient toward a predetermined sexual orientation or gender identity outcome; or
 - iii. counseling or therapy related to a patient's sexual behaviors, practices, or relationships, provided that the counseling or therapy does not seek to direct the patient toward a predetermined sexual orientation or gender identity.

(6) Sexual orientation means an individual's actual or perceived (by the individual or another) emotional, romantic, or sexual attraction to other people, such as heterosexual, homosexual, bisexual, pansexual or asexual.

- C. Prohibited Practice.** It shall be unlawful for any provider to provide sexual orientation or gender identity change efforts to a minor if the provider receives compensation in exchange for such services.
- D. Penalty.** Any person that violates any provision of this Section shall, upon an adjudication of guilt or the entry of a plea of no contest, be subject to the penalty prescribed in Section 1-116 of the Prairie Village Municipal Code (a fine of not more than \$1,000.00), but in no instance shall a violation of this Section be punishable by imprisonment.
- E. Loss of Occupation License.** Any person that violates any provision of this Section shall, upon an adjudication of guilt or the entry of a plea of no contest, have their Section 5-102 Occupation License revoked.

Section 2. That it is the City of Prairie Village's Governing Body's intent that this Ordinance regulate professional conduct and the manner in which therapeutic treatment is delivered, but does not otherwise prohibit or limit proponents or opponents of conversion therapy to speak about gender identity or sexual orientation publicly and privately, including to their minors in forms other than sexual orientation or gender identity change efforts.

Section 3. If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

Section 4. This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED AND ADOPTED BY THE GOVERNING BODY THIS ____ DAY OF _____, 2026.

CITY OF PRAIRIE VILLAGE, KANSAS

Eric Mikkelson, Mayor

ATTEST:

Adam Geffert, City Clerk

APPROVED AS TO LEGAL FORM:

Alex Aggen, City Attorney

ORDINANCE NO. ____

**AN ORDINANCE AMENDING ARTICLE 4 OF CHAPTER XI OF THE
MUNICIPAL CODE OF ROELAND PARK, KS.**

WHEREAS, The American Psychological Association, the American Psychiatric Association, the American Academy of Pediatrics, the American Medical Association, the American Counseling Association, the American Academy of Child and Adolescent Psychiatry, the American School Counselor Association, the National Association of Social Workers, and other mental health and medical organizations in the United States have determined that efforts to change an individual's sexual orientation or gender identity are harmful and ineffective;

WHEREAS, In 2009, the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation conducted a systematic review of peer-reviewed research and concluded that sexual orientation change efforts are unlikely to be successful and involve risk of harm, including depression, suicidality, and anxiety;

WHEREAS, In 2021, the American Psychological Association adopted a resolution calling for the elimination of sexual orientation and gender identity change efforts, concluding that sexual orientation and gender identity change efforts are harmful and ineffective in changing a person's sexual orientation or gender identity;

WHEREAS, The scientific and clinical consensus establishes that sexual orientation or gender identity change efforts pose serious risks of harm to patients, including depression, guilt, helplessness, hopelessness, shame, social withdrawal, suicidality, substance abuse, stress, self-blame, decreased self-esteem, feelings of anger and betrayal, loss of religious faith, alienation from family, problems in sexual and emotional intimacy, sexual dysfunction, high-risk sexual behaviors, feelings of being dehumanized, and a sense of having wasted time and resources;

WHEREAS, The psychological harms described in this declaration result from efforts to direct a patient toward a predetermined outcome regarding the patient's sexual orientation or gender identity, regardless of the nature of that predetermined outcome;

WHEREAS, Roeland Park is a home rule city under Article 12, Section 5 of the Kansas Constitution, and is therefore vested with authority to enact ordinances protecting the health, safety, and welfare of its residents and is therefore empowered to determine its local affairs and government by ordinance, including the enactment of measures to protect the public health, safety, and welfare of its residents, consistent with the Kansas Constitution and applicable state law;

WHEREAS, the City has heard testimony from current and former residents that sexual orientation or gender identity change efforts have been practiced on minors within the City in the past;

WHEREAS, the Governing Body is committed to ensuring that minor residents and visitors who seek therapeutic care are not exposed to practices that are empirically shown and likely to be dangerous and life-threatening, and finds that prohibiting the provision of such care when in exchange for compensation is a necessary and appropriate exercise of the City's power;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY
OF ROELAND PARK, KANSAS, THAT:**

Section 1. That Chapter XI, Article 4, Section 11-401 is hereby re-entitled “Limitation and Prohibition on Sexual Orientation or Gender Identity Change Efforts” and hereby amended to read as follows:

“SEC. 11-401 – ACTIONS BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS - LIMITATION AND PROHIBITION.”

- A. Policy and Findings by the Governing Body.** The City of Roeland Park, Kansas, has a compelling interest in protecting the physical and psychological well-being of minors of all gender identities and of all sexual orientations, from exposure to the harms and risks caused by sexual orientation or gender identity change efforts conducted by licensed providers. These provisions are exercises of the police power of the City for the public safety, health and welfare; and its provisions shall be liberally construed to accomplish that purpose.
- B. Definitions.** As used in this section, the following terms shall have the meaning indicated in this subsection.
- (1) Gender identity means an individual's actual or perceived (by the individual or another) gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics regardless of the individual's designated sex at birth.
 - (2) Sexual orientation means an individual's actual or perceived (by the individual or another) emotional, romantic, or sexual attraction to other people, such as heterosexual, homosexual, bisexual, pansexual or asexual.
 - (3) Minor means a person less than eighteen (18) years of age.
 - (4) Provider means any licensed medical or mental health professional including, but not limited to, licensed professional counselors, licensed psychologists, licensed clinical social workers, provisionally licensed professional counselors, provisional and temporary licensed psychologists, licensed and provisionally licensed marital and family therapists, psychiatrists, certified substances abuse counselors, certified school counselors, behavior analysts and any professional licensed under Chapter 65 of the Kansas Statutes.
 - (5) Sexual orientation or gender identity change efforts also commonly referred to as “conversion therapy” or “reparative therapy”, means any practice, counseling, or purported treatment by a provider that seeks to direct a patient toward a predetermined sexual orientation or gender identity outcome, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of a particular sex or gender, regardless of the sexual orientation or gender identity the patient is directed toward.
 - (6) Sexual orientation or gender identity change efforts does not include:
 - i. counseling or therapy that provides acceptance, support, and understanding of a patient or facilitates a patient's coping, social support, and identity exploration and development, without seeking to direct the patient toward a predetermined sexual orientation or gender identity outcome;
 - ii. counseling or therapy that is neutral with respect to sexual orientation and gender identity and that does not seek to direct the patient toward a predetermined sexual orientation or gender identity outcome; or

- iii. counseling or therapy related to a patient's sexual behaviors, practices, or relationships, provided that the counseling or therapy does not seek to direct the patient toward a predetermined sexual orientation or gender identity.

C. Prohibited Practice. It shall be unlawful for any provider to provide sexual orientation or gender identity change efforts to a minor if the provider receives compensation in exchange for such services.

D. Penalty. Any person that violates any provision of this Section shall, upon an adjudication of guilt or the entry of a plea of no contest, be subject to the penalty of a fine of not more than One Thousand Dollars (\$1,000.00) but in no instance shall a violation of this Section be punishable by imprisonment.

E. Loss of Occupation License. Any person that violates any provision of this Section shall, upon an adjudication of guilt or the entry of a plea of no contest, have their Occupation License revoked pursuant to Municipal Code Section 5-115.”

Section 2. That it is the City of Roeland Park’s Governing Body’s intent that this Ordinance regulate professional conduct and the manner in which therapeutic treatment is delivered, but does not otherwise prohibit or limit proponents or opponents of conversion therapy to speak about gender identity or sexual orientation publicly and privately, including to their minors in forms other than sexual orientation or gender identity change efforts.

Section 3. If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

Section 4. This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED by the City Council on the 21st day of September 2026. **APPROVED** by the Mayor.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO LEGAL FORM:

Alex Felzien, City Attorney