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File #: TMP-6852

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ORDINANCE NO. TMP-6852

Amending Chapter 50, Code of Ordinances, “Offenses and Miscellaneous Provisions” by repealing Section 50-234, “Conversion therapy of minors prohibited,” in its entirety, and amending Chapter 38, Article III, Division 1, Sec. 38-113, “Discriminatory Accommodation Practices” for the purpose of creating an exception regarding preferred pronouns.

WHEREAS, conversion therapy, also known as reparative therapy, ex-gay therapy, or sexual orientation and gender identity change efforts, is a range of consistently discredited practices aimed at changing one's sexual orientation or gender identity; and

WHEREAS, a national community of professionals in education, social work, health, mental health and counseling, including the American Academy of Child and Adolescent Psychiatry, has determined again and again that there is no scientifically valid evidence that supports the practice of conversion therapy; and

WHEREAS, the City Council of the City of Kansas City, Missouri, has a responsibility to protect the health, safety, and welfare of all people in our community, especially the physical and psychological well-being of minors, including LGBTQ youth; and

WHEREAS, the City Council passed Ordinance No. 190902 and created Section 50-234, Code of Ordinances, that made it unlawful for “any provider to provide conversion therapy or reparative therapy to a minor if the provider receives compensation in exchange for such services;” and

WHEREAS, Ordinance No. 190902 was challenged in the United States District Court for the Western District of Missouri on February 7, 2025, in Case No. 4:25-cv-00084; and

WHEREAS, the litigation of Ordinance No. 190902 has proceeded to the United States Court of Appeals for the Eighth Circuit, in Case No. 0:25-cv-02566, scheduled for oral argument on May 14, 2026; and

WHEREAS, due to a recent U.S. Supreme Court ruling in *Chiles v. Salazar*, the Council believes it necessary to repeal the section in its entirety in order for City Code to remain compliant with National law; and

WHEREAS, the Council is compelled by this ruling to repeal Section 50-234 not out of agreement with the Court's reasoning or any diminished concern for the harm that conversion

therapy causes, but solely because continued enforcement would expose the City to constitutional challenge under a standard this Council did not invite and does not endorse; and

WHEREAS, notwithstanding this necessary repeal, the City Council remains committed to safeguarding youth and promoting practices grounded in science and ethics for the well-being of minors; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 50, Code of Ordinances entitled “Offenses and Miscellaneous Provisions” is hereby amended by repealing Section 50-234 in its entirety.

Section 2. That Chapter 38, Article III, Division 1, Sec. 38-113 of the Code of Ordinances entitled “Discriminatory Accommodation Practices” is hereby amended by repealing said Section 38-113, and enacting in lieu thereof a new section of like number and subject matter to read as follows:

**Sec. 38-113. Discriminatory accommodation practices.**

(a) It shall be a discriminatory accommodation practice for any owner, agent or employee of any place of public accommodation, directly or indirectly, to refuse, withhold from or deny to any person any of the accommodations mentioned in this chapter or to discriminate against any person in the furnishing thereof on account of race, religion, color, ancestry, national origin, sex, marital status, familial status, disability, sexual orientation, gender identity, or criminal history status of such person, or directly or indirectly publish, circulate, or display any written or printed communication, notice or advertisement to the effect that any of the accommodations or the facilities of such place of public accommodation will be refused, withheld from or denied to any person on account of race, religion, color, ancestry, national origin, sex, disability, marital status, familial status, sexual orientation, gender identity, or criminal history status, or that, for such reasons, the patronage or custom of any person described in this section is unwelcome or objectionable or not acceptable to such place.

- (1) For the purposes of this section, the refusal of an owner, agent, or employee to use a person’s preferred or self-selected pronouns shall not, on its own, constitute a violation.

(b) It shall be a discriminatory accommodation practice for any owner, agent, operator, or employee of a business or facility within a redevelopment area to use a prohibited dress code as defined in section 38-1, directly or indirectly, to refuse, withhold from or deny to any person any of the accommodations mentioned in this chapter or to discriminate against any person in the furnishing thereof on account of race, religion, color, ancestry, national origin, sex, marital status, familial status, disability, sexual orientation, gender identity, or criminal history status of such person. Any dress code enforced in a redevelopment area or in any establishment within such area must be posted in accordance with the requirements of section 10-331(d), and must contain the phone number of the City’s Civil Rights and Equal Opportunity Department and a phone number of a representative of the establishment who is available to respond to complaints

regarding the enforcement of the dress code during all hours when the establishment is open or such dress code is in effect. Any such dress code shall list all prohibited items of dress. Notwithstanding the foregoing, nothing herein shall be construed as prohibiting:

- (1) Any owner or operator of a business or facility within a redevelopment area from establishing an employee dress code or requiring that an employee abide by the employee dress code while at work.
- (2) Any owner, agent, operator, or employee of a business or facility within a redevelopment area from affirmatively requiring the wearing of specified articles of clothing, which may include collared shirts and ties, sports jackets, business suits, business casual, formal clothing, or smart casual clothing in keeping with the ambiance and quality of the particular business or facility and formal footwear, so long as the requirements are enforced with regard to each and every patron, regardless of race, religion, color, ancestry, national origin, sex, marital status, familial status, disability, sexual orientation, gender identity, or criminal history status.
- (c) For the purposes of this section, it shall not be a violation for an owner, agent or employee of a place of public accommodation to:
  - (1) Directly or indirectly refuse, withhold from or deny a person with certain criminal convictions due to local, state or federal law or regulation or on the basis of an order of protection.

Approved as to form:



Authenticated as Passed

*[Signature]*  
Quinton Lucas, Mayor

*[Signature]*  
Julian Langenkamp  
Associate City Attorney

*[Signature]*  
Marilyn Sanders, City Clerk

MAY 21 2026

Date Passed