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# A BILL FOR AN ACT

RELATING TO MINORS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the American  
2           Psychological Association convened a task force on appropriate  
3           therapeutic responses to sexual orientation. The task force  
4           conducted a systematic review of peer-reviewed journal  
5           literature on sexual orientation change efforts. The task force  
6           concluded that sexual orientation change efforts can pose  
7           critical health risks to lesbian, gay, and bisexual individuals,  
8           including confusion, depression, guilt, helplessness, shame,  
9           social withdrawal, suicide, substance abuse, and other negative  
10          feelings and behaviors.

11          The purpose of this Act is to protect the physical and  
12          psychological well-being of minors, including lesbian, gay,  
13          bisexual, and transgender youth, against exposure to serious  
14          harms caused by sexual orientation change efforts.

15          SECTION 2. The Hawaii Revised Statutes is amended by  
16          adding a new chapter to title 25 to be appropriately designated  
17          and to read as follows:



1 "CHAPTER

2 SEXUAL ORIENTATION CHANGE

3 § -1 Sexual orientation change efforts prohibited;

4 advertising prohibited. (a) No person who is licensed to  
5 provide professional counseling, including but not limited to a  
6 physician specializing in the practice of psychiatry, physician  
7 assistant, psychologist, social worker, mental health counselor,  
8 marriage and family therapist, or a person who performs  
9 counseling as part of the person's professional training for any  
10 of these professions, shall:

11 (1) Engage in or attempt to engage in sexual orientation  
12 change efforts on a person under eighteen years of  
13 age; or

14 (2) Advertise the offering of sexual orientation change  
15 efforts on a person under eighteen years of age.

16 (b) Any person who is licensed to provide professional  
17 counseling who engages in or attempts to engage in the offering  
18 of sexual orientation change efforts on a person under eighteen  
19 years of age shall be subject to disciplinary action by the  
20 appropriate professional licensing authority.



1 (c) For the purposes of this section, "sexual orientation  
2 change efforts" means the practice of attempting to change a  
3 person's sexual orientation, including but not limited to  
4 efforts to change behaviors, gender identity, or gender  
5 expressions; or to reduce or eliminate sexual or romantic  
6 attractions or feelings toward a person of the same gender.

7 "Sexual orientation change efforts" shall not include  
8 counseling for a person seeking to transition from one gender to  
9 another or counseling that:

10 (1) Provides acceptance, support, and understanding of a  
11 person or facilitates a person's coping, social  
12 support, and identity exploration and development,  
13 including sexual orientation-neutral interventions to  
14 prevent or address unlawful conduct or unsafe sexual  
15 practices; and

16 (2) Does not seek to change sexual orientation."

17 SECTION 3. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *[Signature]*

*Richard Lujan*

*Matt Lopez*

*[Signature]*

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JAN 24 2017



# H.B. NO. 1266

**Report Title:**

Conversion Therapy; Sexual Orientation; Minors

**Description:**

Prohibits persons licensed to provide professional counseling from engaging in, attempting to engage in, or advertising sexual orientation change efforts on persons under 18 years of age.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

