

JAN 20 2017

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.



S.B. NO. 270

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

2

INTRODUCED BY:


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S.B. NO. 270

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.

