

REFERENCE TITLE: minors; gender identity; reassignment; prohibitions

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1045

Introduced by
Senator Rogers

AN ACT

AMENDING TITLE 15, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-509; AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA
REVISED STATUTES, BY ADDING SECTION 32-3229.01; RELATING TO GENDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 5, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-509, to read:

4 15-509. Gender identity; withholding information;
5 prohibition; definitions

6 A. A NURSE, COUNSELOR, TEACHER, PRINCIPAL OR OTHER ADMINISTRATIVE
7 OFFICIAL AT A PUBLIC OR PRIVATE SCHOOL ATTENDED BY A MINOR CHILD MAY NOT
8 DO EITHER OF THE FOLLOWING:

9 1. ENCOURAGE OR COERCE A MINOR CHILD TO WITHHOLD FROM THE MINOR
10 CHILD'S PARENT OR LEGAL GUARDIAN THE FACT THAT THE MINOR CHILD'S
11 PERCEPTION OF HIS OR HER GENDER OR SEX IS INCONSISTENT WITH THE MINOR
12 CHILD'S BIOLOGICAL SEX.

13 2. WITHHOLD FROM A MINOR CHILD'S PARENT OR LEGAL GUARDIAN
14 INFORMATION RELATED TO THE MINOR CHILD'S PERCEPTION THAT HIS OR HER GENDER
15 OR SEX IS INCONSISTENT WITH HIS OR HER BIOLOGICAL SEX.

16 B. FOR THE PURPOSES OF THIS SECTION:

17 1. "BIOLOGICAL SEX" MEANS THE BIOLOGICAL STATE OF BEING MALE OR
18 FEMALE BASED ON THE INDIVIDUAL'S SEX ORGANS, CHROMOSOMES AND ENDOGENOUS
19 HORMONE PROFILES.

20 2. "MINOR CHILD" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN YEARS OF
21 AGE.

22 Sec. 2. Title 32, chapter 32, article 1, Arizona Revised Statutes,
23 is amended by adding section 32-3229.01, to read:

24 32-3229.01. Gender reassignment; prohibitions; minors;
25 violations; classification; definitions

26 A. A HEALTH PROFESSIONAL MAY NOT ENGAGE IN AND MAY NOT CAUSE TO BE
27 PERFORMED ANY OF THE FOLLOWING PRACTICES ON A MINOR CHILD IF THE PRACTICE
28 IS PERFORMED FOR THE PURPOSE OF ATTEMPTING TO ALTER THE APPEARANCE OF THE
29 MINOR CHILD OR TO AFFIRM THE MINOR CHILD'S PERCEPTION OF HIS OR HER GENDER
30 OR SEX, IF THAT PERCEPTION IS INCONSISTENT WITH THE MINOR CHILD'S
31 BIOLOGICAL SEX:

32 1. PRESCRIBING, DISPENSING, ADMINISTERING OR OTHERWISE SUPPLYING
33 PUBERTY-BLOCKING MEDICATION TO STOP OR DELAY NORMAL PUBERTY.

34 2. PRESCRIBING, DISPENSING, ADMINISTERING OR OTHERWISE SUPPLYING
35 SUPRAPHYSIOLOGIC DOSES OF TESTOSTERONE OR OTHER ANDROGENS TO FEMALES.

36 3. PRESCRIBING, DISPENSING, ADMINISTERING OR OTHERWISE SUPPLYING
37 SUPRAPHYSIOLOGIC DOSES OF ESTROGEN TO MALES.

38 4. PERFORMING SURGERIES THAT STERILIZE, INCLUDING CASTRATION,
39 VASECTOMY, HYSTERECTOMY, OOPHORECTOMY, ORCHIECTOMY AND PENECTOMY.

40 5. PERFORMING SURGERIES THAT ARTIFICIALLY CONSTRUCT TISSUE WITH THE
41 APPEARANCE OF GENITALIA THAT DIFFERS FROM THE MINOR CHILD'S BIOLOGICAL
42 SEX, INCLUDING METOIDIOPLASTY, PHALLOPLASTY AND VAGINOPLASTY.

43 6. REMOVING ANY HEALTHY OR NONDISEASED BODY PART OR TISSUE.

1 B. SUBSECTION A OF THIS SECTION DOES NOT APPLY TO A PROCEDURE THAT
2 IS UNDERTAKEN TO TREAT A MINOR CHILD WHO IS BORN WITH A MEDICALLY
3 VERIFIABLE DISORDER OF SEX DEVELOPMENT, INCLUDING EITHER:

4 1. A MINOR CHILD WHO IS BORN WITH EXTERNAL BIOLOGICAL SEX
5 CHARACTERISTICS THAT ARE IRRESOLVABLY AMBIGUOUS, INCLUDING AN INDIVIDUAL
6 BORN WITH FORTY-SIX XX CHROMOSOMES WITH VIRILIZATION OR FORTY-SIX XY
7 CHROMOSOMES WITH UNDERVIRILIZATION, OR WHO HAS BOTH OVARIAN AND TESTICULAR
8 TISSUE.

9 2. A MINOR CHILD WHOM A PHYSICIAN LICENSED PURSUANT TO CHAPTER 13
10 OR 17 OF THIS TITLE HAS DIAGNOSED WITH A DISORDER OF SEXUAL DEVELOPMENT BY
11 DETERMINING THROUGH GENETIC OR BIOCHEMICAL TESTING THAT THE MINOR CHILD
12 DOES NOT HAVE NORMAL SEX CHROMOSOME STRUCTURE, SEX STEROID HORMONE
13 PRODUCTION OR SEX STEROID HORMONE ACTION FOR A MALE OR FEMALE.

14 C. A HEALTH PROFESSIONAL WHO VIOLATES SUBSECTION A OF THIS SECTION
15 IS GUILTY OF A CLASS 4 FELONY.

16 D. THIS SECTION DOES NOT ESTABLISH A NEW OR SEPARATE STANDARD OF
17 CARE FOR HOSPITALS OR PHYSICIANS AND THEIR PATIENTS OR OTHERWISE MODIFY,
18 AMEND OR SUPERSEDE ANY RIGHT OR LIMIT ON MEDICAL LIABILITY.

19 E. FOR THE PURPOSES OF THIS SECTION:

20 1. "BIOLOGICAL SEX" MEANS THE BIOLOGICAL STATE OF BEING MALE OR
21 FEMALE BASED ON THE INDIVIDUAL'S SEX ORGANS, CHROMOSOMES AND ENDOGENOUS
22 HORMONE PROFILES.

23 2. "MINOR CHILD" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN YEARS OF
24 AGE.

25 Sec. 3. Short title

26 This act may be cited as the "Vulnerable Child Compassion and
27 Protection Act".

28 Sec. 4. Severability

29 If a provision of this act or its application to any person or
30 circumstance is held invalid, the invalidity does not affect other
31 provisions or applications of the act that can be given effect without the
32 invalid provision or application, and to this end the provisions of this
33 act are severable.