

PROPOSED

SENATE AMENDMENTS TO S.B. 1138

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 32, chapter 32, article 1, Arizona Revised
3 Statutes, is amended by adding section 32-3230, to read:

4 32-3230. Prohibition of irreversible gender reassignment
5 surgery for minors; definitions

6 A. A PHYSICIAN MAY NOT PROVIDE IRREVERSIBLE GENDER REASSIGNMENT
7 SURGERY TO ANY INDIVIDUAL WHO BOTH:

8 1. IS UNDER EIGHTEEN YEARS OF AGE.

9 2. HAS NOT LIVED CONTINUOUSLY FOR AT LEAST TWELVE MONTHS IN THE
10 GENDER ROLE THAT IS CONGRUENT WITH THE PERSON'S GENDER IDENTITY.

11 B. A PHYSICIAN MAY PROVIDE ANY OF THE FOLLOWING TO AN INDIVIDUAL WHO
12 IS UNDER EIGHTEEN YEARS OF AGE:

13 1. SERVICES TO AN INDIVIDUAL BORN WITH A MEDICALLY VERIFIABLE
14 DISORDER OF SEX DEVELOPMENT, INCLUDING AN INDIVIDUAL WITH EXTERNAL
15 BIOLOGICAL SEX CHARACTERISTICS THAT ARE IRRESOLVABLY AMBIGUOUS, SUCH AS
16 BEING BORN WITH FORTY-SIX XX CHROMOSOMES WITH VIRILIZATION OR FORTY-SIX XY
17 CHROMOSOMES WITH UNDERVIRILIZATION OR HAVING BOTH OVARIAN AND TESTICULAR
18 TISSUE.

19 2. SERVICES PROVIDED WHEN A PHYSICIAN HAS OTHERWISE DIAGNOSED A
20 DISORDER OF SEXUAL DEVELOPMENT AND HAS DETERMINED THROUGH GENETIC OR
21 BIOCHEMICAL TESTING THAT THE INDIVIDUAL DOES NOT HAVE NORMAL SEX CHROMOSOME
22 STRUCTURE, SEX STEROID HORMONE PRODUCTION OR SEX STEROID HORMONE ACTION.

23 3. THE TREATMENT OF ANY INFECTION, INJURY, DISEASE OR DISORDER THAT
24 HAS BEEN CAUSED BY OR EXACERBATED BY THE PERFORMANCE OF GENDER TRANSITION

1 PROCEDURES, WHETHER OR NOT THE GENDER TRANSITION PROCEDURE WAS PERFORMED IN
2 ACCORDANCE WITH STATE AND FEDERAL LAW.

3 4. ANY PROCEDURE UNDERTAKEN BECAUSE THE INDIVIDUAL SUFFERS FROM A
4 PHYSICAL DISORDER, PHYSICAL INJURY OR PHYSICAL ILLNESS THAT WOULD, AS
5 CERTIFIED BY A PHYSICIAN, PLACE THE INDIVIDUAL IN IMMINENT DANGER OF DEATH
6 OR IMPAIRMENT OF MAJOR BODILY FUNCTION UNLESS SURGERY IS PERFORMED.

7 C. FOR THE PURPOSES OF THIS SECTION:

8 1. "BIOLOGICAL SEX" MEANS THE BIOLOGICAL INDICATION OF MALE AND
9 FEMALE IN THE CONTEXT OF REPRODUCTIVE POTENTIAL OR CAPACITY, SUCH AS SEX
10 CHROMOSOMES, NATURALLY OCCURRING SEX HORMONES, GONADS AND NONAMBIGUOUS
11 INTERNAL AND EXTERNAL GENITALIA PRESENT AT BIRTH, WITHOUT REGARD TO AN
12 INDIVIDUAL'S PSYCHOLOGICAL, CHOSEN OR SUBJECTIVE EXPERIENCE OF GENDER.

13 2. "GENDER" MEANS THE PSYCHOLOGICAL, BEHAVIORAL, SOCIAL AND CULTURAL
14 ASPECTS OF BEING MALE OR FEMALE.

15 3. "GENDER TRANSITION" MEANS THE PROCESS IN WHICH A PERSON GOES FROM
16 IDENTIFYING WITH AND LIVING AS A GENDER THAT CORRESPONDS TO THE PERSON'S
17 BIOLOGICAL SEX TO IDENTIFYING WITH AND LIVING AS A GENDER DIFFERENT FROM
18 THE PERSON'S BIOLOGICAL SEX AND MAY INVOLVE SOCIAL, LEGAL OR PHYSICAL
19 CHANGES.

20 4. "IRREVERSIBLE GENDER REASSIGNMENT SURGERY" MEANS A MEDICAL
21 PROCEDURE PERFORMED FOR THE PURPOSE OF ASSISTING AN INDIVIDUAL WITH A
22 GENDER TRANSITION, INCLUDING ANY OF THE FOLLOWING:

23 (a) PENECTOMY, ORCHIECTOMY, VAGINOPLASTY, CLITOROPLASTY OR
24 VULVOPLASTY FOR BIOLOGICALLY MALE PATIENTS OR HYSTERECTOMY OR OVARIECTOMY
25 FOR BIOLOGICALLY FEMALE PATIENTS.

26 (b) METOIDIOPLASTY, PHALLOPLASTY, VAGINECTOMY, SCROTOPLASTY OR
27 IMPLANTATION OF ERECTION OR TESTICULAR PROSTHESES FOR BIOLOGICALLY FEMALE
28 PATIENTS.

29 (c) AUGMENTATION MAMMOPLASTY FOR BIOLOGICALLY MALE PATIENTS AND
30 SUBCUTANEOUS MASTECTOMY FOR FEMALE PATIENTS.

31 5. "PHYSICIAN" MEANS A PERSON WHO IS LICENSED PURSUANT TO CHAPTER 13
32 OR 17 OF THIS TITLE.

Senate Amendments to S.B. 1138

- 1 Sec. 2. Effective date
- 2 This act is effective from and after March 31, 2023."
- 3 Amend title to conform

TYLER PACE

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02/14/2022
04:04 PM
C: MH