

REFERENCE TITLE: conversion therapy; funding; prohibitions; minors

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2789**

Introduced by  
Representatives Contreras P: Austin, Contreras L, Crews, De Los Santos,  
Gutierrez, Ortiz, Terech, Villegas

### AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 32-3229.02; AMENDING TITLE 35, CHAPTER 1, ARTICLE 5,  
ARIZONA REVISED STATUTES, BY ADDING SECTION 35-196.06; RELATING TO HEALTH  
CARE FOR MINORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised  
3 Statutes, is amended by adding section 32-3229.02, to read:

4 32-3229.02. Conversion therapy; minors; unprofessional  
5 conduct; exceptions; definitions

6 A. IT IS AN ACT OF UNPROFESSIONAL CONDUCT FOR A HEALTH CARE  
7 PROFESSIONAL TO PROVIDE CONVERSION THERAPY TO A PATIENT OR CLIENT WHO IS  
8 UNDER EIGHTEEN YEARS OF AGE.

9 B. SUBSECTION A OF THIS SECTION DOES NOT APPLY TO EITHER:

10 1. A CLERGY MEMBER OR RELIGIOUS COUNSELOR WHO IS ACTING  
11 SUBSTANTIALLY IN A PASTORAL OR RELIGIOUS CAPACITY AND NOT IN THE CAPACITY  
12 OF A HEALTH CARE PROFESSIONAL.

13 2. A PARENT OR GRANDPARENT WHO IS A HEALTH CARE PROFESSIONAL AND  
14 WHO IS ACTING SUBSTANTIALLY IN THE CAPACITY OF A PARENT OR GRANDPARENT AND  
15 NOT IN THE CAPACITY OF A HEALTH CARE PROFESSIONAL.

16 C. FOR THE PURPOSES OF THIS SECTION:

17 1. "CONVERSION THERAPY":

18 (a) MEANS ANY PRACTICE OR TREATMENT THAT SEEKS TO CHANGE THE SEXUAL  
19 ORIENTATION OR GENDER IDENTITY OF A PATIENT OR CLIENT, INCLUDING MENTAL  
20 HEALTH THERAPY THAT SEEKS TO CHANGE, ELIMINATE OR REDUCE BEHAVIORS,  
21 EXPRESSIONS, ATTRACTIONS OR FEELINGS RELATED TO THE PATIENT'S OR CLIENT'S  
22 SEXUAL ORIENTATION OR GENDER IDENTITY.

23 (b) DOES NOT INCLUDE A PRACTICE OR TREATMENT THAT DOES NOT SEEK TO  
24 CHANGE A PATIENT'S OR CLIENT'S SEXUAL ORIENTATION OR GENDER IDENTITY AND  
25 THAT MEETS ANY OF THE FOLLOWING:

26 (i) IS NEUTRAL WITH RESPECT TO SEXUAL ORIENTATION OR GENDER  
27 IDENTITY.

28 (ii) PROVIDES ASSISTANCE TO A PATIENT OR CLIENT UNDERGOING GENDER  
29 TRANSITION.

30 (iii) PROVIDES ACCEPTANCE OF AND SUPPORT AND UNDERSTANDING TO A  
31 PATIENT OR CLIENT.

32 (iv) FACILITATES A PATIENT'S OR CLIENT'S SOCIAL SUPPORT, IDENTITY  
33 EXPLORATION AND DEVELOPMENT, AND ABILITY TO COPE.

34 (v) ADDRESSES UNLAWFUL, UNSAFE, PREMARITAL OR EXTRAMARITAL SEXUAL  
35 ACTIVITIES IN A MANNER THAT IS NEUTRAL WITH RESPECT TO SEXUAL ORIENTATION.

36 (vi) DISCUSSES THE PATIENT'S OR CLIENT'S MORAL OR RELIGIOUS BELIEFS  
37 OR PRACTICES.

38 2. "HEALTH CARE PROFESSIONAL" MEANS AN INDIVIDUAL WHO PROVIDES  
39 MENTAL HEALTH THERAPY AS PART OF THE INDIVIDUAL'S PROFESSION AND WHO IS  
40 CERTIFIED OR LICENSED PURSUANT TO CHAPTER 13, 15, 17, 19.1 OR 33 OF THIS  
41 TITLE.

1           Sec. 2. Title 35, chapter 1, article 5, Arizona Revised Statutes,  
2 is amended by adding section 35-196.06, to read:

3           35-196.06. Conversion therapy; minors; funding; prohibition

4           A. STATE MONIES, OR ANY MONIES BELONGING TO ANY STATE AGENCY, STATE  
5 CORPORATION, DIVISION, DEPARTMENT, COMMISSION OR POLITICAL SUBDIVISION OF  
6 THIS STATE, WITHOUT LIMITATION, MAY NOT BE SPENT FOR THE PURPOSE OF  
7 CONDUCTING CONVERSION THERAPY, HEALTH BENEFITS COVERAGE FOR CONVERSION  
8 THERAPY OR A GRANT OR CONTRACT WITH ANY ENTITY THAT CONDUCTS OR PROVIDES  
9 CONVERSION THERAPY TO A PATIENT OR CLIENT WHO IS UNDER EIGHTEEN YEARS OF  
10 AGE.

11           B. A STATE AGENCY, STATE CORPORATION, DIVISION, DEPARTMENT,  
12 COMMISSION OR POLITICAL SUBDIVISION OF THIS STATE, WITHOUT LIMITATION, MAY  
13 NOT USE OR EXPEND ANY FEDERAL MONIES TO ANY ENTITY FOR THE PURPOSE OF  
14 CONDUCTING, FACILITATING OR REIMBURSING CONVERSION THERAPY, OR PROVIDE A  
15 GRANT TO OR CONTRACT WITH ANY ENTITY THAT CONDUCTS OR PROVIDES CONVERSION  
16 THERAPY TO A PATIENT OR CLIENT WHO IS UNDER EIGHTEEN YEARS OF AGE.

17           Sec. 3. Severability

18           If a provision of this act or its application to any person or  
19 circumstance is held invalid, the invalidity does not affect other  
20 provisions or applications of the act that can be given effect without the  
21 invalid provision or application, and to this end the provisions of this  
22 act are severable.