

**Representative Craig Hall** proposes the following substitute bill:

**PROHIBITION OF THE PRACTICE OF CONVERSION**

**THERAPY UPON MINORS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Craig Hall**

Senate Sponsor: \_\_\_\_\_

7	Cosponsors:	Brian S. King	Mark A. Wheatley
8	Francis D. Gibson	Stephanie Pitcher	Mike Winder
9	Eric K. Hutchings	Steve Waldrip	

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to conversion therapy for minors.

**Highlighted Provisions:**

This bill:

▶ prohibits certain mental health therapists from providing conversion therapy to a minor.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**58-1-509**, Utah Code Annotated 1953



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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-1-509** is enacted to read:

**58-1-509. Prohibition on providing conversion therapy to a minor.**

(1) As used in this section:

(a) (i) "Conversion therapy" means any practice or treatment that seeks to change the sexual orientation or gender identity of a patient or client, including mental health therapy that seeks to change, eliminate, or reduce behaviors, expressions, attractions, or feelings related to a patient or client's sexual orientation or gender identity.

(ii) "Conversion therapy" does not mean a practice or treatment that does not seek to change a patient or client's sexual orientation or gender identity, including mental health therapy that:

(A) is neutral with respect to sexual orientation and gender identity;

(B) provides assistance to a patient or client undergoing gender transition;

(C) provides acceptance, support, and understanding of a patient or client;

(D) facilitates a patient or client's ability to cope, social support, and identity exploration and development;

(E) addresses unlawful, unsafe, premarital, or extramarital sexual activities in a manner that is neutral with respect to sexual orientation;

(F) discusses with a patient or client the patient or client's moral or religious beliefs or practices; or

(G) provides acceptance, support, and understanding of a patient or client's sexual orientation or gender identity without an a priori outcome.

(b) "Gender identity" means the same as that term is defined in Section [34A-5-102](#).

(c) "Mental health therapist" means:

(i) the same as that term is defined in Section [58-60-102](#); or

(ii) an individual who is allowed to engage in acts included within the definition of practice as a mental health therapist under Subsection [58-60-107\(2\)\(a\)](#).

(d) "Sexual orientation" means the same as that term is defined in Section [34A-5-102](#).

(2) A mental health therapist may not provide conversion therapy to a patient or client who is younger than 18 years old.

- 56           (3) A violation of Subsection (2) is unprofessional conduct under Section [58-60-110](#).  
57           (4) Subsection (2) does not apply to:  
58           (a) a clergy member or religious counselor who is acting substantially in a pastoral or  
59 religious capacity and not in the capacity of a health care professional; or  
60           (b) a parent or grandparent who is a health care professional and who is acting  
61 substantially in the capacity of a parent or grandparent and not in the capacity of a health care  
62 professional.