
A BILL FOR AN ACT

RELATING TO GENDER IDENTITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 453J, Hawaii Revised Statutes, is
2 amended by amending its title to read as follows:

3 " ~~[+] Chapter 453J [.]~~

4 CONVERSION THERAPY PROHIBITED FOR SEXUAL ORIENTATION [CHANGE
5 EFFORTS] AND GENDER IDENTITY"

6 SECTION 2. Section 453J-1, Hawaii Revised Statutes, is
7 amended to read as follows:

8 " ~~[+] §453J-1 [.] ~~Sexual orientation change efforts~~~~

9 Conversion therapy prohibited; advertising prohibited. (a) No
10 person who is licensed to provide professional counseling shall:

11 (1) Engage in or attempt to engage in ~~[sexual orientation~~
12 ~~change efforts]~~ conversion therapy on a person under
13 eighteen years of age; or

14 (2) Advertise the offering of ~~[sexual orientation change~~
15 ~~efforts]~~ conversion therapy on a person under eighteen
16 years of age.



1 (b) Any person who is licensed to provide professional
2 counseling who engages in or attempts to engage in the offering
3 of [~~sexual orientation change efforts~~] conversion therapy on a
4 person under eighteen years of age shall be subject to
5 disciplinary action by the appropriate professional licensing
6 authority.

7 (c) For purposes of this section:

8 "Advertise" means a communication made by or on behalf of a
9 person who is licensed to provide professional counseling, made
10 for the purpose of inducing or promoting a professional
11 counseling relationship in which [~~sexual orientation change~~
12 ~~efforts~~] conversion therapy will be undertaken on a person under
13 the age of eighteen. "Advertise" includes oral, written,
14 graphic, or pictorial statements or representations, including
15 those made through any electronic or print medium.

16 "Conversion therapy" means any practices or treatments that
17 seek to change an individual's sexual orientation or gender
18 identity, including efforts to change behaviors or gender
19 expressions or to eliminate or reduce sexual or romantic
20 attractions or feelings toward individuals of the same gender.



1 "Conversion therapy" shall not include counseling that
2 provides assistance to a person undergoing gender transition, or
3 counseling that provides acceptance, support, and understanding
4 of a person or facilitates a person's coping, social support,
5 and identity exploration and development, including sexual
6 orientation-neutral interventions to prevent or address unlawful
7 conduct or unsafe sexual practices, as long as such counseling
8 does not seek to change an individual's sexual orientation or
9 gender identity.

10 "Person who is licensed to provide professional counseling"
11 means a person who performs counseling as part of the person's
12 professional training, including a physician, especially one
13 practicing psychiatry, licensed pursuant to chapter 453;
14 psychologist licensed pursuant to chapter 465; nurse licensed
15 pursuant to chapter 457; social worker licensed pursuant to
16 chapter 467E; licensed mental health counselor licensed pursuant
17 to chapter 453D; or licensed marriage and family therapist
18 licensed pursuant to chapter 451J.

19 ~~["Sexual orientation change efforts" means the practice of~~
20 ~~attempting to change a person's sexual orientation, including~~
21 ~~but not limited to efforts to change gender identity or gender~~



1 ~~expressions and behaviors, or to reduce or eliminate sexual or~~
2 ~~romantic attractions or feelings toward a person of the same~~
3 ~~gender.~~

4 ~~"Sexual orientation change efforts" shall not include~~
5 ~~counseling supporting a person seeking to transition from one~~
6 ~~gender to another or counseling that:~~

7 ~~(1) Provides acceptance, support, and understanding of a~~
8 ~~person or facilitates a person's coping, social~~
9 ~~support, and identity exploration and development,~~
10 ~~including sexual orientation neutral interventions to~~
11 ~~prevent or address unlawful conduct or unsafe sexual~~
12 ~~practices; and~~

13 ~~(2) Does not seek to change sexual orientation, gender~~
14 ~~identity, or gender expression.] "~~

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Conversion Therapy; Prohibited

Description:

Clarifies that the ban on sexual orientation change efforts applies to conversion therapy practices or treatments that seek to change an individual's sexual orientation or gender identity. (HB664 HD2)

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