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# 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 ~~SEXUAL ORIENTATION CHANGE EFFORTS]~~ CONVERSION THERAPY PROHIBITED  
5 FOR SEXUAL ORIENTATION 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.  
21 "Conversion therapy" shall not include counseling that provides



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

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

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



1 ~~romantic attractions or feelings toward a person of the same~~  
2 ~~gender.~~

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

- 6 ~~(1) Provides acceptance, support, and understanding of a~~  
7 ~~person or facilitates a person's coping, social~~  
8 ~~support, and identity exploration and development,~~  
9 ~~including sexual orientation neutral interventions to~~  
10 ~~prevent or address unlawful conduct or unsafe sexual~~  
11 ~~practices; and~~
- 12 ~~(2) Does not seek to change sexual orientation, gender~~  
13 ~~identity, or gender expression.] "~~

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 Statutory material to be repealed is bracketed  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

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



**Report Title:**

Conversion Therapy; Sexual Orientation and Gender Identity;

**Description:**

Prohibits conversion therapy for sexual orientation and gender identity. (SB674 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

