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Dunmire
2/14/23

CS FOR HOUSE BILL NO. 43()

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HANNAN, Armstrong

A BILL

FOR AN ACT ENTITLED

"An Act relating to professional and occupational licensing; and relating to treatment to change the sexual orientations or gender identities of children and vulnerable adults."

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

*** Section 1.** AS 08.01.077 is amended to read:

Sec. 08.01.077. Grounds [CONVICTION AS GROUNDS] for disciplinary action. Notwithstanding **another** [ANY OTHER] provision of this title, **a department or board may consider the following as grounds for disciplining or sanctioning a person licensed, certified, or regulated by that department or board under this title:**

(1) a [THE] conviction under AS 47.24.010;

(2) treating an individual under the age of 18 or a vulnerable adult with a therapy or other regimen in violation of AS 47.17.024(c) or AS 47.24.140
[OF A PERSON LICENSED, CERTIFIED, OR REGULATED BY THE DEPARTMENT OR A BOARD UNDER THIS TITLE MAY BE CONSIDERED BY

1 THE DEPARTMENT OR BOARD AS GROUNDS FOR DISCIPLINARY
2 PROCEEDINGS OR SANCTIONS].

3 * **Sec. 2.** AS 47.17.024 is amended by adding a new subsection to read:

4 (c) A practitioner of the healing arts, other than a religious healing
5 practitioner, may not, in the performance of the practitioner's occupational duties, treat
6 an individual under the age of 18 with a therapy or another regimen that seeks to
7 change the individual's sexual orientation or gender identity, including efforts to
8 change behavior or gender expression or reduce or eliminate sexual or romantic
9 attraction or feelings toward a person of the same gender. This subsection does not
10 apply to counseling that provides support and assistance to an individual undergoing
11 gender transition or counseling that provides acceptance, support, and understanding
12 of an individual or facilitates an individual's coping, social support, and identity
13 exploration and development, including sexual orientation-neutral interventions to
14 prevent or address unlawful conduct or unsafe sexual practices, or counseling that
15 does not seek to change sexual orientation or gender identity. In this subsection,

16 (1) "gender identity" means an individual's actual or perceived gender-
17 related identity, appearance, mannerisms, or other gender-related characteristics
18 without regard to the person's designated sex at birth;

19 (2) "sexual orientation" means an individual's actual or perceived
20 heterosexuality, homosexuality, asexuality, or bisexuality.

21 * **Sec. 3.** AS 47.24 is amended by adding a new section to read:

22 **Sec. 47.24.140. Treatment to change sexual orientation or gender identity.**

23 A practitioner of the healing arts may not, in the performance of the practitioner's
24 professional duties, treat a vulnerable adult with a therapy or another regimen that
25 seeks to change the vulnerable adult's sexual orientation or gender identity, including
26 efforts to change behavior or gender expression or reduce or eliminate sexual or
27 romantic attraction or feelings toward a person of the same gender. This section does
28 not apply to counseling that provides support and assistance to an individual
29 undergoing gender transition or counseling that provides acceptance, support, and
30 understanding of an individual or facilitates an individual's coping, social support, and
31 identity exploration and development, including sexual orientation-neutral

1 interventions to prevent or address unlawful conduct or unsafe sexual practices, or
2 counseling that does not seek to change sexual orientation or gender identity. In this
3 section,

4 (1) "gender identity" has the meaning given in AS 47.17.024;

5 (2) "practitioner of the healing arts" has the meaning given in
6 AS 47.17.290 but does not include a religious healing practitioner;

7 (3) "sexual orientation" has the meaning given in AS 47.17.024.

8 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 **APPLICABILITY.** This Act applies to conduct that occurs on or after the effective
11 date of this Act.