

HOUSE BILL NO. 8

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HANNAN, Hopkins, Tarr, Snyder, Fields

Introduced: 2/18/21

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to professional and occupational licensing; and relating to protection of**
2 **children and vulnerable adults."**

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

4 *** Section 1.** AS 08.01.077 is repealed and reenacted to read:

5 **Sec. 08.01.077. Grounds for disciplinary action.** Notwithstanding another
6 provision of this title, a department or board under this title may consider the
7 following as grounds for disciplining or sanctioning a person licensed, certified, or
8 regulated by that department or board:

9 (1) a conviction for a crime under AS 47.24.010;

10 (2) treating a vulnerable adult or an individual under the age of 18 with
11 a therapy or other regimen in violation of AS 47.17.024(c) or AS 47.24.140.

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

13 (c) A practitioner of the healing arts licensed under AS 08 may not, in the
14 performance of the practitioner's occupational duties, treat an individual under the age

1 of 18 with a therapy or another regimen that seeks to change the individual's sexual
 2 orientation or gender identity, including efforts to change behavior or gender
 3 expression or reduce or eliminate sexual or romantic attraction or feelings toward a
 4 person of the same gender. This subsection does not apply to counseling that provides
 5 support and assistance to an individual undergoing gender transition or counseling that
 6 provides acceptance, support, and understanding of an individual or facilitates an
 7 individual's coping, social support, and identity exploration and development,
 8 including sexual orientation-neutral interventions to prevent or address unlawful
 9 conduct or unsafe sexual practices, or counseling that does not seek to change sexual
 10 orientation or gender identity. A person required to report under AS 47.17.020 who
 11 suspects or receives a report of harm arising from a violation of this subsection shall
 12 report the harm as provided under AS 47.17.020. In this subsection,

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

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

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

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

20 A practitioner of the healing arts licensed under AS 08 may not, in the performance of
 21 the practitioner's professional duties, treat a vulnerable adult with a therapy or another
 22 regimen that seeks to change the vulnerable adult's sexual orientation or gender
 23 identity, including efforts to change behavior or gender expression or reduce or
 24 eliminate sexual or romantic attraction or feelings toward a person of the same gender.
 25 This section does not apply to counseling that provides support and assistance to an
 26 individual undergoing gender transition or counseling that provides acceptance,
 27 support, and understanding of an individual or facilitates an individual's coping, social
 28 support, and identity exploration and development, including sexual orientation-
 29 neutral interventions to prevent or address unlawful conduct or unsafe sexual
 30 practices, or counseling that does not seek to change sexual orientation or gender
 31 identity. A person required to report under AS 47.24.010 who suspects or receives a

1 report of harm arising from a violation of this section shall report the harm as provided
2 under AS 47.24.010. In this section,

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

4 (2) "practitioner of the healing arts" has the meaning given in
5 AS 47.17.290;

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

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

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