

By Senator Clemens

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1 A bill to be entitled
2 An act relating to sexual orientation change efforts;
3 creating s. 456.064, F.S.; defining the term "sexual
4 orientation change effort"; prohibiting persons who
5 are licensed to provide professional counseling and
6 various practitioners who are licensed under
7 provisions regulating the practice of medicine,
8 osteopathic medicine, psychology, clinical social
9 work, marriage and family therapy, or mental health
10 counseling from engaging in sexual orientation change
11 efforts on behalf of a person who is younger than a
12 specified age; providing that a violation of the
13 prohibition constitutes unprofessional conduct subject
14 to disciplinary proceedings by the Department of
15 Health and the appropriate regulatory board; providing
16 an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 456.064, Florida Statutes, is created to
21 read:

22 456.064 Sexual orientation change efforts.-

23 (1) As used in this section, the term "sexual orientation
24 change effort" means any practice or treatment performed with
25 the goal of changing a person's sexual orientation, including,
26 but not limited to, efforts to change behavior, gender identity,
27 or gender expression, or to reduce or eliminate sexual or
28 romantic attraction or feelings toward a person of the same
29 gender. The term does not include counseling that:

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30 (a) Provides support to a person actively undergoing gender
31 transition; or

32 (b) Provides acceptance, support, and understanding of a
33 person or facilitates a person's coping, social support, and
34 identity exploration and development, including sexual
35 orientation-neutral interventions to prevent or address unlawful
36 conduct or unsafe sexual practices, if such counseling is not
37 conducted with the goal of changing the person's sexual
38 orientation or gender identity.

39 (2) (a) A person who is licensed to provide professional
40 counseling, or who performs counseling as part of his or her
41 professional training under chapter 458, chapter 459, chapter
42 490, or chapter 491, including, but not limited to, medical
43 practitioners, osteopathic practitioners, psychologists, social
44 workers, marriage and family therapists, and licensed
45 counselors, may not engage in sexual orientation change efforts
46 on behalf of a person younger than 18 years of age.

47 (b) A licensed professional as described in paragraph (a)
48 who engages in or attempts to engage in sexual orientation
49 change efforts on behalf of a person younger than 18 years of
50 age engages in unprofessional conduct and is subject to
51 disciplinary proceedings by the department and the appropriate
52 regulatory board.

53 Section 2. This act shall take effect July 1, 2015.