

By Senator Clemens

31-00691-17

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1                   A bill to be entitled  
 2           An act relating to conversion therapy; creating s.  
 3           456.064, F.S.; defining the term "conversion therapy";  
 4           prohibiting a person who is licensed to provide  
 5           professional counseling or a practitioner who is  
 6           licensed under provisions regulating the practice of  
 7           medicine, osteopathic medicine, psychology, clinical  
 8           social work, marriage and family therapy, or mental  
 9           health counseling from practicing or performing  
 10          conversion therapy with an individual who is younger  
 11          than a specified age; providing that such person or  
 12          practitioner is subject to specified disciplinary  
 13          proceedings; providing an effective date.

14

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

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17           Section 1. Section 456.064, Florida Statutes, is created to  
 18           read:

19           456.064 Conversion therapy.-

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

27           (a) Provides support to an individual actively undergoing  
 28           gender transition; or

29           (b) Provides acceptance, support, and understanding of an  
 30           individual or facilitates an individual's coping, social  
 31           support, and identity exploration and development, including  
 32           sexual orientation-neutral interventions to prevent or address

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33 unlawful conduct or unsafe sexual practices; however, the goal  
34 of such counseling may not be to change the individual's sexual  
35 orientation or gender identity.

36 (2) A person who is licensed to provide professional  
37 counseling or who provides counseling as part of his or her  
38 professional practice under chapter 458, chapter 459, chapter  
39 490, or chapter 491, including, but not limited to, a medical  
40 practitioner, osteopathic practitioner, psychologist,  
41 psychotherapist, social worker, marriage and family therapist,  
42 or mental health counselor may not practice or perform  
43 conversion therapy with an individual younger than 18 years of  
44 age. Any such licensed professional who practices or performs or  
45 attempts to practice or perform conversion therapy with an  
46 individual younger than 18 years of age engages in  
47 unprofessional conduct and is subject to disciplinary  
48 proceedings by the department and the appropriate regulatory  
49 board.

50 Section 2. This act shall take effect July 1, 2017.