

By Senator Clemens

31-00127-18

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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 under certain circumstances; providing an  
14      effective date.

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

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

20       456.064 Conversion therapy.-

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

28       (a) Support to an individual actively undergoing gender  
29       transition; or

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30       (b) Acceptance, support, and understanding of an individual  
31 or facilitates an individual's coping, social support, and  
32 identity exploration and development, including sexual  
33 orientation-neutral interventions to prevent or address unlawful  
34 conduct or unsafe sexual practices; however, the goal of such  
35 counseling is not to change the individual's sexual orientation  
36 or gender identity.

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

50       Section 2. This act shall take effect July 1, 2018.