

1 A bill to be entitled
 2 An act relating to youth gender and sexual identity;
 3 creating s. 456.0335, F.S.; providing a short title;
 4 defining the term "sex"; providing criminal penalties
 5 for health care practitioners who perform or cause
 6 specified practices to be performed on a minor under
 7 certain conditions; providing applicability; amending
 8 s. 1000.05, F.S.; providing an exception to
 9 participation in intramural athletics; amending s.
 10 1002.20, F.S.; prohibiting certain students from
 11 participating on specified high school athletic teams;
 12 providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 456.0335, Florida Statutes, is created
 17 to read:

18 456.0335 Vulnerable Child Protection Act.-

19 (1) This section may be cited as the "Vulnerable Child
 20 Protection Act."

21 (2) As used in this section, the term "sex" means the
 22 biological state of being female or male based on sex organs,
 23 chromosomes, and endogenous hormone profiles.

24 (3) A health care practitioner who performs any of the
 25 following practices upon a minor, or who causes such practices

26 to be performed upon a minor, for the purpose of attempting to
27 change the minor's sex or for the purpose of affirming the
28 minor's perception of the minor's sex if that perception is
29 inconsistent with the minor's sex, commits a misdemeanor of the
30 first degree, punishable as provided in s. 775.082 or s.
31 775.083:

32 (a) Performing surgeries that sterilize, including
33 castration, vasectomy, hysterectomy, oophorectomy,
34 metoidioplasty, orchiectomy, penectomy, phalloplasty, and
35 vaginoplasty;

36 (b) Performing a mastectomy;

37 (c) Administering, prescribing, or supplying the following
38 medications that induce transient or permanent infertility:

39 1. Puberty-blocking medication, which stops or delays
40 normal puberty;

41 2. Supraphysiologic doses of testosterone, to females; or

42 3. Supraphysiologic doses of estrogen, to males; or

43 (d) Removing any otherwise healthy or nondiseased body
44 part or tissue.

45 (4) This section does not apply to a health care
46 practitioner acting in accordance with a good faith medical
47 decision of a parent or guardian of a minor born with a
48 medically verifiable genetic disorder of sex development,
49 including:

50 (a) External biological sex characteristics that are

51 unresolvably ambiguous, such as the minor being born with having
52 46 XX chromosomes with virilization, 46 XY chromosomes with
53 undervirilization, or both ovarian and testicular tissue.

54 (b) A sexual development disorder whereby a physician has
55 determined through genetic testing that the minor does not have
56 the normal chromosome structure for a male or a female.

57 Section 2. Paragraph (f) is added to subsection (3) of
58 section 1000.05, Florida Statutes, to read:

59 1000.05 Discrimination against students and employees in
60 the Florida K-20 public education system prohibited; equality of
61 access required.—

62 (3)

63 (f) Paragraphs (a) and (b) do not apply to the eligibility
64 of students to participate on athletic teams designated for
65 girls only as described in s. 1002.20(17)(a)2.

66 Section 3. Paragraph (a) of subsection (17) of section
67 1002.20, Florida Statutes, is amended to read:

68 1002.20 K-12 student and parent rights.—Parents of public
69 school students must receive accurate and timely information
70 regarding their child's academic progress and must be informed
71 of ways they can help their child to succeed in school. K-12
72 students and their parents are afforded numerous statutory
73 rights including, but not limited to, the following:

74 (17) ATHLETICS; PUBLIC HIGH SCHOOL.—

75 (a) Eligibility.—

76 1. Eligibility requirements for all students participating
77 in high school athletic competition must allow a student to be
78 immediately eligible in the school in which he or she first
79 enrolls each school year, the school in which the student makes
80 himself or herself a candidate for an athletic team by engaging
81 in practice before enrolling, or the school to which the student
82 has transferred, in accordance with s. 1006.20(2)(a).

83 2. Only students of the female sex are eligible to
84 participate on athletic teams designated for girls only. As used
85 in this paragraph, "sex" has the same meaning as provided in s.
86 456.0335(2).

87 Section 4. This act shall take effect July 1, 2021.