

1 AN ACT relating to conversion therapy and declaring an emergency.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 311 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) A physician licensed to practice medicine or osteopathy under this chapter who is*
6 *certified or eligible to apply for certification by the American Board of Psychiatry*
7 *and Neurology, Inc., shall not:*

8 *(a) Engage in conversion therapy with a person under eighteen (18) years of*
9 *age;*

10 *(b) Receive monetary compensation in exchange for conversion therapy; or*

11 *(c) Advertise for the provision of conversion therapy.*

12 *(2) Any violation of subsection (1)(a) of this section shall be considered*
13 *unprofessional conduct and shall subject the psychiatrist to discipline by the State*
14 *Board of Medical Licensure.*

15 *(3) Any violation of subsection (1)(b) or (c) of this section shall be considered unfair,*
16 *false, misleading, or deceptive acts or practices pursuant to KRS 367.170 and*
17 *shall subject the psychiatrist to the associated penalties pursuant to KRS 367.990.*

18 *(4) Public funds shall not be directly or indirectly used, granted, paid, or distributed*
19 *to any entity, organization, or individual that provides conversion therapy or*
20 *refers a person to conversion therapy.*

21 *(5) For the purposes of this section:*

22 *(a) "Conversion therapy" means any practice or treatment that seeks to change*
23 *an individual's sexual orientation or gender identity, including efforts to*
24 *change behaviors or gender expressions or to eliminate or reduce sexual or*
25 *romantic attractions or feelings toward individuals of the same gender.*

26 *"Conversion therapy" does not include counseling that provides assistance*
27 *to a person undergoing gender transition, or counseling that provides*

- 1 acceptance, support, and understanding of a person or facilitates a person's
2 coping, social support, and identity exploration and development, including
3 sexual-orientation-neutral interventions to prevent or address unlawful
4 conduct or unsafe sexual practices, as long as such counseling does not
5 seek to change an individual's sexual orientation or gender identity; and
6 **(b) "Public funds" means any money, regardless of the original source of the**
7 **money, of:**
8 **1. The Commonwealth of Kentucky, and any department, agency, or**
9 **instrumentality thereof;**
10 **2. Any county, city, or special district, and any department, agency, or**
11 **instrumentality thereof; and**
12 **3. Any other political subdivision of the Commonwealth, and any**
13 **department, agency, or instrumentality thereof.**

14 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 319 IS CREATED TO
15 READ AS FOLLOWS:

- 16 **(1) A psychologist, psychological practitioner, psychologist with autonomous**
17 **functioning, or psychological associate licensed or certified to practice**
18 **psychology or psychotherapy under this chapter shall not:**
19 **(a) Engage in conversion therapy with a person under eighteen (18) years of**
20 **age;**
21 **(b) Receive monetary compensation in exchange for conversion therapy; or**
22 **(c) Advertise for the provision of conversion therapy.**
23 **(2) Any violation of subsection (1)(a) of this section shall be considered**
24 **unprofessional conduct and shall subject the practitioner to discipline by the**
25 **Kentucky Board of Examiners of Psychology.**
26 **(3) Any violation of subsection (1)(b) or (c) of this section shall be considered unfair,**
27 **false, misleading, or deceptive acts or practices pursuant to KRS 367.170 and**

1 shall subject the practitioner to the associated penalties pursuant to KRS 367.990.

2 (4) Public funds shall not be directly or indirectly used, granted, paid, or distributed
3 to any entity, organization, or individual that provides conversion therapy or
4 refers a person to conversion therapy.

5 (5) For the purposes of this section:

6 (a) "Conversion therapy" means any practice or treatment that seeks to change
7 an individual's sexual orientation or gender identity, including efforts to
8 change behaviors or gender expressions or to eliminate or reduce sexual or
9 romantic attractions or feelings toward individuals of the same gender.

10 "Conversion therapy" does not include counseling that provides assistance
11 to a person undergoing gender transition, or counseling that provides
12 acceptance, support, and understanding of a person or facilitates a person's
13 coping, social support, and identity exploration and development, including
14 sexual-orientation-neutral interventions to prevent or address unlawful
15 conduct or unsafe sexual practices, as long as such counseling does not
16 seek to change an individual's sexual orientation or gender identity; and

17 (b) "Public funds" means any money, regardless of the original source of the
18 money, of:

19 1. The Commonwealth of Kentucky, and any department, agency, or
20 instrumentality thereof;

21 2. Any county, city, or special district, and any department, agency, or
22 instrumentality thereof; and

23 3. Any other political subdivision of the Commonwealth, and any
24 department, agency, or instrumentality thereof.

25 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 335 IS CREATED TO
26 READ AS FOLLOWS:

27 (1) A social worker, clinical social worker, marriage and family therapist, marriage

1 and family therapist associate, professional counselor, professional clinical
2 counselor, professional counselor associate, or pastoral counselor licensed or
3 certified to practice under this chapter shall not:

4 (a) Engage in conversion therapy with a person under eighteen (18) years of
5 age;

6 (b) Receive monetary compensation in exchange for conversion therapy; or

7 (c) Advertise for the provision of conversion therapy.

8 (2) Any violation of subsection (1)(a) of this section shall be considered
9 unprofessional conduct and shall subject the practitioner to discipline by the
10 respective professional board.

11 (3) Any violation of subsection (1)(b) or (c) of this section shall be considered unfair,
12 false, misleading, or deceptive acts or practices pursuant to KRS 367.170 and
13 shall subject the practitioner to the associated penalties pursuant to KRS 367.990.

14 (4) Public funds shall not be directly or indirectly used, granted, paid, or distributed
15 to any entity, organization, or individual that provides conversion therapy or
16 refers a person to conversion therapy.

17 (5) For the purposes of this section:

18 (a) "Conversion therapy" means any practice or treatment that seeks to change
19 an individual's sexual orientation or gender identity, including efforts to
20 change behaviors or gender expressions or to eliminate or reduce sexual or
21 romantic attractions or feelings toward individuals of the same gender.

22 "Conversion therapy" does not include counseling that provides assistance
23 to a person undergoing gender transition, or counseling that provides
24 acceptance, support, and understanding of a person or facilitates a person's
25 coping, social support, and identity exploration and development, including
26 sexual-orientation-neutral interventions to prevent or address unlawful
27 conduct or unsafe sexual practices, as long as such counseling does not

- 1 seek to change an individual's sexual orientation or gender identity; and
- 2 **(b) "Public funds" means any money, regardless of the original source of the**
- 3 money, of:
- 4 **1. The Commonwealth of Kentucky, and any department, agency, or**
- 5 instrumentality thereof;
- 6 **2. Any county, city, or special district, and any department, agency, or**
- 7 instrumentality thereof; and
- 8 **3. Any other political subdivision of the Commonwealth, and any**
- 9 department, agency, or instrumentality thereof.

10 ➔Section 4. Whereas numerous professional organizations have concluded that
 11 conversion therapy can pose critical health risks to lesbian, gay, and bisexual people,
 12 ranging from depression to substance use to suicidality, an emergency is declared to exist,
 13 and this Act takes effect upon its passage and approval by the Governor or upon its
 14 otherwise becoming a law.