

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 or an adult who has a court-appointed guardian;*

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 for the provision of conversion therapy.*

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

21 *(a) "Conversion therapy" means any practice or treatment that seeks to change*
22 *an individual's sexual orientation or gender identity, including efforts to*
23 *change behaviors or gender expressions or to eliminate or reduce sexual or*
24 *romantic attractions or feelings toward individuals of the same gender.*
25 *"Conversion therapy" does not include counseling that provides assistance*
26 *to a person undergoing gender transition, or counseling that provides*
27 *acceptance, support, and understanding of a person or facilitates a person's*

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

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

- 15 *(1) A psychologist, psychological practitioner, psychologist with autonomous*
 16 *functioning, or psychological associate licensed or certified to practice*
 17 *psychology or psychotherapy under this chapter shall not:*
 18 *(a) Engage in conversion therapy with a person under eighteen (18) years of*
 19 *age or an adult who has a court-appointed guardian;*
 20 *(b) Receive monetary compensation in exchange for conversion therapy; or*
 21 *(c) Advertise for the provision of conversion therapy.*
 22 *(2) Any violation of subsection (1)(a) of this section shall be considered*
 23 *unprofessional conduct and shall subject the practitioner to discipline by the*
 24 *Kentucky Board of Examiners of Psychology.*
 25 *(3) Any violation of subsection (1)(b) or (c) of this section shall be considered unfair,*
 26 *false, misleading, or deceptive acts or practices pursuant to KRS 367.170 and*
 27 *shall subject the practitioner to the associated penalties pursuant to KRS 367.990.*

1 (4) Public funds shall not be directly or indirectly used, granted, paid, or distributed
 2 to any entity, organization, or individual for the provision of conversion therapy.

3 (5) For the purposes of this section:

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

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

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

17 1. The Commonwealth of Kentucky, or any department, agency, or
 18 instrumentality thereof;

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

21 3. Any other political subdivision of the Commonwealth, or any
 22 department, agency, or instrumentality thereof.

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

25 (1) A social worker, clinical social worker, marriage and family therapist, marriage
 26 and family therapist associate, professional counselor, professional clinical
 27 counselor, professional counselor associate, or fee-based pastoral counselor

1 licensed or certified to practice under this chapter shall not:

2 (a) Engage in conversion therapy with a person under eighteen (18) years of
3 age or an adult who has a court-appointed guardian;

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

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

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

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

12 (4) Public funds shall not be directly or indirectly used, granted, paid, or distributed
13 to any entity, organization, or individual for the provision of conversion therapy.

14 (5) For the purposes of this section:

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

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

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

- 1 1. The Commonwealth of Kentucky, or any department, agency, or
- 2 instrumentality thereof;
- 3 2. Any county, city, or special district, or any department, agency, or
- 4 instrumentality thereof; and
- 5 3. Any other political subdivision of the Commonwealth, or any
- 6 department, agency, or instrumentality thereof.

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