

1 AN ACT relating to correctional facilities.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 197 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Cosmetic service or elective procedure" means any procedure, treatment,*  
7 *or surgery to enhance or alter the appearance of any area of the head, neck,*  
8 *and body, including but not limited to:*

9 *1. Prescribing or administering cross-sex hormones in amounts greater*  
10 *than would normally be produced endogenously in a healthy person of*  
11 *the same age and sex; and*

12 *2. Performing any gender reassignment surgery to alter or remove*  
13 *physical or anatomical characteristics or features that are typical for a*  
14 *person's sex in order to instill or create physiological or anatomical*  
15 *characteristics that resemble a different sex;*

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

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

20 *2. Any county, city, local school district, or special district, or any*  
21 *department, agency, or instrumentality thereof; and*

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

24 *(c) "Sex" means the biological indication of male and female as evidenced by*  
25 *sex chromosomes, naturally occurring sex hormones, gonads, and*  
26 *nonambiguous internal and external genitalia present at birth.*

27 *(2) Except as provided in subsection (3) of this section, public funds shall not be*

1 directly or indirectly used, granted, paid, or distributed for the purpose of  
2 providing a cosmetic service or elective procedure to an inmate in a correctional  
3 facility.

4 (3) If a health care provider has initiated a course of treatment for an inmate that  
5 includes the prescription or administration of any drug or medication for a  
6 cosmetic service or elective procedure and the health care provider determines  
7 and documents in the inmate's medical record that immediately terminating use  
8 of the drug or medication would cause physical harm to the inmate, the health  
9 care provider may institute a period during which the inmate's use of the drug or  
10 hormone is systematically reduced and eliminated.