

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1730

By: Dahm

AS INTRODUCED

An Act relating to gender-affirming care; defining terms; prohibiting certain actions by covered entity without parental consent; directing certain agencies to prescribe informed consent form; reserving certain rights to parent or legal guardian; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2607.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Covered facility" means:

- a. a residential or inpatient mental health or substance abuse treatment facility operated by or certified by the Department of Mental Health and Substance Abuse Services, or
- b. a residential child care facility as defined in Section 402 of Title 10 of the Oklahoma Statutes;

1           2. "Gender-affirming therapy" means nonmedical and nonsurgical  
2 behavioral health care services or mental health counseling that  
3 focuses on affirming a patient's perception of his or her gender  
4 identity or biological sex, if that perception is inconsistent with  
5 the patient's biological sex, and does not try to modify it.  
6 Gender-affirming therapy does not include gender transition  
7 procedures as defined in Section 2607.1 of Title 63 of the Oklahoma  
8 Statutes; and

9           3. "Social transition" means any intervention, not including  
10 gender-affirming therapy as defined in this section or gender  
11 transition procedures as defined in Section 2607.1 of Title 63 of  
12 the Oklahoma Statutes, to align a person's appearance, physical  
13 body, or behavior with the person's perception of his or her gender  
14 or biological sex, if that perception is inconsistent with the  
15 person's biological sex. Social transition includes, but is not  
16 limited to, changing a person's name or pronouns, changing the  
17 gender of clothing worn, using speech therapy or other means to  
18 change a person's voice, or any similar intervention to align a  
19 person's appearance, physical body, or behavior with the person's  
20 perception of his or her gender or biological sex, if that  
21 perception is inconsistent with the person's biological sex.

22           B. A covered facility or agent thereof shall not:

23           1. Perform, assist, or cause a social transition of a child in  
24 the custody of the facility; or

1           2. Provide gender-affirming therapy to a child in the custody  
2 of the facility,  
3 unless the covered facility or agent has obtained the prior written  
4 informed consent of the child's parent or legal guardian on a form  
5 prescribed by subsection C of this section.

6           C. The Department of Mental Health and Substance Abuse Services  
7 and the Department of Human Services shall each prescribe a form for  
8 obtainment and documentation of a parent or legal guardian's  
9 informed consent to a social transition or gender-affirming therapy  
10 of a child in the custody of a covered facility as required by  
11 subsection B of this section.

12           D. A parent or legal guardian shall reserve the right to refuse  
13 consent to a social transition or gender-affirming therapy of the  
14 parent or legal guardian's child as described in this section.

15           SECTION 2. This act shall become effective November 1, 2024.

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