

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 345

By: Hamilton

AS INTRODUCED

An Act relating to crime and punishment; making certain medical treatment unlawful; defining term; providing for certain penalty; providing for codification; and declaring an emergency.

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 761 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for a person under the age of twenty-one (21) years to undergo gender reassignment medical treatment in this state.

B. It shall be unlawful for a parent, guardian, or other person in this state having charge, control, or custody of a child under the age of eighteen (18) years to obtain gender reassignment medical treatment for the child.

C. It shall be unlawful for a health care professional to intentionally perform gender reassignment medical treatment on a person who is under the age of twenty-one (21) years.

1 D. "Gender reassignment medical treatment" means any health
2 care to facilitate the transitioning of a patient's assigned gender
3 identity on the patient's birth certificate to the gender identity
4 experienced and defined by the patient. The term shall include, but
5 not be limited to:

6 1. Medical procedures to suppress the development of endogenous
7 secondary sex characteristics;

8 2. Medical procedures to align the patient's appearance or
9 physical body with the gender identity experienced and defined by
10 the patient. This does not include clothing, hairstyles, the use of
11 makeup, or other non-permanent actions of the patient; and

12 3. Medical procedures to alleviate the symptoms of clinically
13 significant distress resulting from gender dysphoria, as defined in
14 the Diagnostic and Statistical Manual of Mental Disorders, 5th
15 Edition. The term does not include behavioral health care services,
16 such as mental health counseling.

17 E. Any person guilty of the provisions of subsection A, B, or C
18 of this section shall be guilty of a felony punishable by
19 imprisonment in the custody of the Department of Corrections for a
20 term not less than three (3) years nor more than life imprisoned and
21 a fine not more than Twenty Thousand Dollars (\$20,000.00).

22 SECTION 2. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3

4 59-1-13 JES 1/13/2023 3:34:06 PM

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25