

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 614

By: Daniels

AS INTRODUCED

An Act relating to health care; defining term; prohibiting gender reassignment medical treatment for minors; providing for certain civil actions and relief; providing for recovery of attorney fees; 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 2607.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "gender reassignment medical treatment" means any health care to facilitate the transitioning of a patient's assigned gender identity on the patient's birth certificate to the gender identity experienced and defined by the patient.

1. The term includes:

- a. interventions to suppress the development of endogenous secondary sex characteristics,

- b. interventions to align the patient's appearance or physical body with the patient's gender identity, and
- c. medical therapies and medical intervention used to treat gender dysphoria.

2. The term shall not include:

- a. behavioral healthcare services or mental health counseling,
- b. medications to treat depression and anxiety,
- c. medications prescribed, dispensed, or administered specifically for the purpose of treating precocious puberty in that patient, or
- d. services provided to individuals born with ambiguous genitalia, incomplete genitalia, or both male and female anatomy, or biochemically verifiable disorder of sex development (DSD), including but not limited to:
 - (1) 46,XX DSD,
 - (2) 46,XY DSD,
 - (3) sex chromosomes DSDs,
 - (4) XX or XY sex reversal, and
 - (5) ovotesticular disorder.

B. A physician or other healthcare professional shall not provide gender reassignment medical treatment to any individual under eighteen (18) years of age.

1 C. 1. The parent, legal guardian, or next friend of an
2 individual under eighteen (18) years of age upon whom a physician or
3 other healthcare professional has provided gender reassignment
4 medical treatment may bring a civil action against the physician or
5 other healthcare professional and obtain compensatory damages,
6 injunctive relief, declaratory relief, or any other appropriate
7 relief.

8 2. An individual under eighteen (18) years of age upon whom a
9 physician or other healthcare professional has provided gender
10 reassignment medical treatment may bring an action throughout his or
11 her minority through a parent, legal guardian, or next friend, and
12 may bring an action in his or her own name at any time upon or after
13 reaching the age of majority.

14 D. There shall be no time limitation for the commencement of a
15 civil action brought under this section.

16 E. Notwithstanding any other provision of law, an action under
17 this section may be commenced, and relief may be granted, in a
18 judicial proceeding without regard to whether the person commencing
19 the action has sought or exhausted available administrative
20 remedies.

21 F. In any action or proceeding to enforce a provision of this
22 section, the court shall award court costs and reasonable attorney
23 fees to a prevailing party who establishes a violation of this
24 section.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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