

By: Meza

H.B. No. 3196

A BILL TO BE ENTITLED

AN ACT

relating to the prohibition of the provision of conversion therapy to an individual by health care providers and certain entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 105, Occupations Code, is amended by adding Section 105.003 to read as follows:

Sec. 105.003. CONVERSION THERAPY PROHIBITED. (a) In this section:

(1) "Conversion therapy" means a practice or treatment provided to an individual by a health care provider that seeks to:

(A) change the individual's sexual orientation, including by attempting to change the individual's behavior or gender identity or expression; or

(B) eliminate or reduce the individual's sexual or romantic attractions or feelings toward individuals of the same sex.

(2) "Gender identity or expression" means an individual's having, or being perceived as having, a gender-related identity, appearance, expression, or behavior, whether or not that identity, appearance, expression, or behavior is different from that commonly associated with the individual's assigned sex at birth.

(3) "Sexual orientation" means the actual or perceived status of an individual with respect to the individual's sexuality.

1       (b) This section does not apply to health care services that  
2 provide acceptance, support, and understanding of an individual or  
3 facilitate an individual's coping, social support, and identity  
4 exploration and development, including sexual orientation-neutral  
5 interventions to prevent or address unlawful conduct or unsafe  
6 sexual practices, if that health care service does not seek to  
7 change sexual orientation or gender identity or expression.

8       (c) A health care provider may not, in the course of  
9 providing services to an individual, provide conversion therapy.

10       (d) A health care provider who provides conversion therapy  
11 in violation of Subsection (c) is subject to disciplinary action by  
12 any state regulatory entity with the power to take disciplinary  
13 action against that health care provider.

14       (e) To the extent allowed by law, a nonprofit entity that  
15 permits a health care provider or an individual who is not licensed  
16 as a health care provider under this title or any other law to  
17 provide conversion therapy through the entity is subject to:

18               (1) termination by the secretary of state to the same  
19 extent and in the same manner as provided under Section 11.251,  
20 Business Organizations Code; and

21               (2) loss of an exemption from the franchise tax under  
22 Section 171.063(a), Tax Code.

23       SECTION 2. Section 105.003, Occupations Code, as added by  
24 this Act, applies only to conduct that occurs on or after the  
25 effective date of this Act. Conduct that occurs before the  
26 effective date of this Act is governed by the law in effect on the  
27 date the conduct occurred, and the former law is continued in effect

1 for that purpose.

2 SECTION 3. This Act takes effect September 1, 2021.