

1 HOUSE BILL NO. 113

2 INTRODUCED BY J. FULLER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR YOUTH HEALTH PROTECTION; PROVIDING
5 DEFINITIONS; PROHIBITING CERTAIN MEDICATIONS AND MEDICAL PROCEDURES FOR THE
6 TREATMENT OF GENDER DYSPHORIA IN MINORS; AND ESTABLISHING A CIVIL PENALTY FOR
7 HEALTH CARE PROVIDERS PROVIDING PROHIBITED TREATMENT."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 NEW SECTION. Section 1. Short title. [Sections 1 through 5] may be cited as the "Youth Health
12 Protection Act".

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14 NEW SECTION. Section 2. Purpose. The purpose of [sections 1 through 5] is to enhance the
15 protection of minors, pursuant to Article II, section 15, of the Montana constitution, from any form of pressure to
16 undergo irreversible medical procedures to change sex prior to attaining the age of majority.

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18 NEW SECTION. Section 3. Definitions. As used in this part, unless the context clearly indicates
19 otherwise, the following definitions apply:

20 (1) "Cross-sex hormones" include antiandrogen, estrogen, and testosterone.

21 (2) "Gender dysphoria" means a medical diagnosis based on a persistent, marked difference between
22 a patient's expressed or experienced gender and the gender others would assign the patient causing clinically
23 significant distress or impairment, as defined in the fifth edition of the Diagnostic and Statistical Manual of
24 Mental Disorders.

25 (3) "Gender reassignment surgery" includes but is not limited to orchiectomy, vaginoplasty,
26 mastectomy, hysterectomy, metoidioplasty, oophorectomy, penectomy, and phalloplasty.

27 (4) "Health care provider" means a physician licensed under Title 37, chapter 3, an advanced practice
28 registered nurse licensed under Title 37, chapter 8, or a physician assistant licensed under Title 37.

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NEW SECTION. Section 4. Medications and medical procedures prohibited. A health care provider may not:

- (1) prescribe, provide, or administer puberty-suppressing drugs or cross-sex hormones to a minor to treat gender dysphoria;
- (2) perform gender reassignment surgery on a minor to treat gender dysphoria; or
- (3) remove any otherwise healthy or nondiseased body part or tissue of a minor to treat gender dysphoria.

NEW SECTION. Section 5. Civil penalties. A health care provider convicted of violating [section 4] shall be fined an amount not less than \$500 or more than \$50,000. Fines collected under this section must be deposited in the state general fund.

NEW SECTION. Section 6. Codification instruction. [Sections 1 through 5] are intended to be codified as an integral part of Title 50, and the provisions of Title 50 apply to [sections 1 through 5].

NEW SECTION. Section 7. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

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