CHAPTER 104

SENATE BILL 1138

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-3230; RELATING TO HEALTH CARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 32, chapter 32, article 1, Arizona Revised
Statutes, is amended by adding section 32-3230, to read:

32-3230. Prohibition of irreversible gender reassignment surgery for minors; definitions

A. A physician may not provide irreversible gender reassignment surgery to any individual who is under eighteen years of age.

B. A physician may provide any of the following to an individual who is under eighteen years of age:

1. Services to an individual born with a medically verifiable disorder of sex development, including an individual with external biological sex characteristics that are irresolvably ambiguous, such as being born with forty-six XX chromosomes with virilization or forty-six XY chromosomes with undervirilization or having both ovarian and testicular tissue.

2. Services provided when a physician has otherwise diagnosed a disorder of sexual development and has determined through genetic or biochemical testing that the individual does not have normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action.

3. The treatment of any infection, injury, disease or disorder that has been caused by or exacerbated by the performance of gender transition procedures, whether or not the gender transition procedure was performed in accordance with state and federal law.

4. Any procedure undertaken because the individual suffers from a physical disorder, physical injury or physical illness that would, as certified by a physician, place the individual in imminent danger of death or impairment of major bodily function unless surgery is performed.

C. For the purposes of this section:

1. "Biological sex" means the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen or subjective experience of gender.

2. "Gender" means the psychological, behavioral, social and cultural aspects of being male or female.

3. "Gender transition" means the process in which a person goes from identifying with and living as a gender that corresponds to the person's biological sex to identifying with and living as a gender different from the person's biological sex and may involve social, legal or physical changes.

4. "Irreversible gender reassignment surgery" means a medical procedure performed for the purpose of assisting an individual with a gender transition, including any of the following:
(a) PENECTOMY, ORCHIECTOMY, VAGINOPLASTY, CLITOROPLASTY OR VULVOPLASTY FOR BIOLOGICALLY MALE PATIENTS OR HYSTERECTOMY OR OVARIECTOMY FOR BIOLOGICALLY FEMALE PATIENTS.
(b) METOIDIOPLASTY, PHALLOPLASTY, VAGINECTOMY, SCROTOPLASTY OR IMPLANTATION OF ERECTION OR TESTICULAR PROSTHESES FOR BIOLOGICALLY FEMALE PATIENTS.
(c) AUGMENTATION MAMMOPLASTY FOR BIOLOGICALLY MALE PATIENTS AND SUBCUTANEOUS MASTECTOMY FOR FEMALE PATIENTS.

5. "PHYSICIAN" MEANS A PERSON WHO IS LICENSED PURSUANT TO CHAPTER 13 OR 17 OF THIS TITLE.

Sec. 2. Effective date
This act is effective from and after March 31, 2023.