

REFERENCE TITLE: gender transition; public funds; prohibition

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1687

Introduced by
Senator Leach

AN ACT

AMENDING SECTION 32-3230, ARIZONA REVISED STATUTES; AMENDING TITLE 35, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 35-196.06; RELATING TO HEALTH CARE SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-3230, Arizona Revised Statutes, is amended to
3 read:

4 32-3230. Irreversible gender reassignment surgery; gender
5 reassignment drugs; minors; prohibition;
6 exceptions; violation; classification; civil
7 action; definitions

8 A. A physician OR OTHER HEALTH PROFESSIONAL may not provide, OR
9 REFER TO ANOTHER PHYSICIAN OR HEALTH PROFESSIONAL TO PROVIDE, irreversible
10 gender reassignment surgery to any individual who is under eighteen years
11 of age.

12 B. A PHYSICIAN OR OTHER HEALTH PROFESSIONAL MAY NOT PRESCRIBE OR
13 ADMINISTER, OR REFER TO ANOTHER PHYSICIAN OR HEALTH PROFESSIONAL TO
14 PRESCRIBE OR ADMINISTER, ANY OF THE FOLLOWING TO AN INDIVIDUAL WHO IS
15 UNDER EIGHTEEN YEARS OF AGE IF THE PRESCRIPTION OR ADMINISTRATION IS FOR
16 THE PURPOSES OF CHANGING AN INDIVIDUAL'S APPEARANCE OR BODY TO NO LONGER
17 CORRESPOND TO THE INDIVIDUAL'S BIOLOGICAL SEX:

18 1. GONADOTROPIN-RELEASING HORMONE ANALOGUES OR ANY OTHER SYNTHETIC
19 DRUG USED TO STOP LUTEINIZING HORMONE AND FOLLICLE STIMULATING HORMONE
20 SECRETION, SYNTHETIC ANTIANDROGEN DRUGS USED TO BLOCK THE ANDROGEN
21 RECEPTOR OR ANY OTHER DRUG TO SUPPRESS OR DELAY NORMAL PUBERTY.

22 2. TESTOSTERONE, ESTROGEN OR PROGESTERONE TO A MINOR IN AN AMOUNT
23 GREATER THAN WOULD NORMALLY BE PRODUCED ENDOGENOUSLY IN A HEALTHY
24 INDIVIDUAL OF THAT MINOR'S AGE AND BIOLOGICAL SEX.

25 ~~B.~~ C. A physician OR OTHER HEALTH PROFESSIONAL may provide any of
26 the following to an individual who is under eighteen years of age:

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

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

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

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

1 D. A PERSON WHO VIOLATES SUBSECTION A OR B OF THIS SECTION IS
2 GUILTY OF A CLASS 1 MISDEMEANOR.

3 E. A PHYSICIAN OR OTHER HEALTH PROFESSIONAL WHO VIOLATES SUBSECTION
4 A OR B OF THIS SECTION COMMITS AN ACT OF UNPROFESSIONAL CONDUCT AND IS
5 SUBJECT TO DISCIPLINE BY THE APPROPRIATE HEALTH PROFESSION REGULATORY
6 BOARD THAT HAS JURISDICTION OVER THE HEALTH PROFESSIONAL.

7 F. A PERSON MAY ASSERT AN ACTUAL OR THREATENED VIOLATION OF THIS
8 SECTION AS A CLAIM OR DEFENSE IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING
9 AND OBTAIN COMPENSATORY DAMAGES, INJUNCTIVE RELIEF, DECLARATORY RELIEF OR
10 ANY OTHER APPROPRIATE RELIEF.

11 G. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A PERSON MAY
12 BRING A CLAIM FOR A VIOLATION OF THIS SECTION NOT LATER THAN TWO YEARS
13 AFTER THE DAY THE CAUSE OF ACTION ACCRUES. A PERSON WHO IS UNDER EIGHTEEN
14 YEARS OF AGE MAY BRING AN ACTION BEFORE REACHING EIGHTEEN YEARS OF AGE
15 THROUGH A PARENT OR GUARDIAN AND MAY BRING AN ACTION IN THE PERSON'S OWN
16 NAME ON REACHING EIGHTEEN YEARS OF AGE AND NOT LATER THAN TWENTY-FIVE
17 YEARS AFTER THAT DATE. AN ACTION UNDER THIS SECTION MAY BE COMMENCED AND
18 RELIEF MAY BE GRANTED IN A JUDICIAL PROCEEDING WITHOUT REGARD TO WHETHER
19 THE PERSON COMMENCING THE ACTION HAS SOUGHT OR EXHAUSTED ANY AVAILABLE
20 ADMINISTRATIVE REMEDIES.

21 H. IN ANY ACTION OR PROCEEDING TO ENFORCE THIS SECTION, A
22 PREVAILING PARTY WHO ESTABLISHES A VIOLATION OF THIS SECTION IS ENTITLED
23 TO RECOVER REASONABLE ATTORNEY FEES.

24 I. THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY FOR THE COUNTY IN
25 WHICH AN ALLEGED VIOLATION OF THIS SECTION OCCURS MAY BRING AN ACTION TO
26 ENFORCE COMPLIANCE WITH THIS SECTION. THIS SECTION DOES NOT DENY, IMPAIR
27 OR OTHERWISE AFFECT ANY RIGHT OR AUTHORITY OF THE ATTORNEY GENERAL, THIS
28 STATE OR A COUNTY IN THIS STATE OR ANY AGENCY, OFFICER OR EMPLOYEE OF THIS
29 STATE OR A COUNTY IN THIS STATE TO INSTITUTE OR INTERVENE IN ANY
30 PROCEEDING.

31 ~~C.~~ J. For the purposes of this section:

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

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

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

44 4. "Irreversible gender reassignment surgery" means a medical
45 procedure performed for the purpose of assisting an individual with a
46 gender transition, including any of the following:

1 (a) Penectomy, orchiectomy, vaginoplasty, clitoroplasty or
2 vulvoplasty for biologically male patients or hysterectomy or ovariectomy
3 for biologically female patients.

4 (b) Metoidioplasty, phalloplasty, vaginectomy, scrotoplasty or
5 implantation of erection or testicular prostheses for biologically female
6 patients.

7 (c) Augmentation mammoplasty for biologically male patients and
8 subcutaneous mastectomy for female patients.

9 5. "Physician" means a person who is licensed pursuant to chapter
10 13 or 17 of this title.

11 Sec. 2. Title 35, chapter 1, article 5, Arizona Revised Statutes,
12 is amended by adding section 35-196.06, to read:

13 35-196.06. Use of public funds or insurance for gender
14 transition treatment prohibited; definition

15 A. NOTWITHSTANDING ANY LAW TO THE CONTRARY, PUBLIC FUNDS, TAX
16 MONIES OF THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE OR ANY
17 FEDERAL FUNDS PASSING THROUGH THE STATE TREASURY OR THE TREASURY OF ANY
18 POLITICAL SUBDIVISION OF THIS STATE MAY NOT BE EXPENDED FOR PAYMENT TO ANY
19 PERSON OR ENTITY FOR THE PERFORMANCE OF ANY GENDER TRANSITION TREATMENT.

20 B. NOTWITHSTANDING ANY OTHER LAW, PUBLIC MONIES OR TAX MONIES OF
21 THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE MAY NOT BE EXPENDED
22 DIRECTLY OR INDIRECTLY TO PAY THE COSTS, PREMIUMS OR CHARGES ASSOCIATED
23 WITH A HEALTH INSURANCE POLICY, CONTRACT OR PLAN THAT PROVIDES COVERAGE,
24 BENEFITS OR SERVICES RELATED TO THE PERFORMANCE OF ANY GENDER TRANSITION
25 TREATMENT.

26 C. NOTWITHSTANDING ANY OTHER LAW, PUBLIC MONIES OR TAX MONIES OF
27 THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE OR ANY FEDERAL FUNDS
28 PASSING THROUGH THE STATE TREASURY OR THE TREASURY OF ANY POLITICAL
29 SUBDIVISION OF THIS STATE OR MONIES PAID BY STUDENTS AS PART OF TUITION OR
30 FEES TO A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
31 REGENTS OR A COMMUNITY COLLEGE AS DEFINED IN SECTION 15-1401 MAY NOT BE
32 EXPENDED OR ALLOCATED FOR TRAINING TO PERFORM GENDER TRANSITION TREATMENT.

33 D. FOR THE PURPOSES OF THIS SECTION, "GENDER TRANSITION TREATMENT"
34 MEANS A SURGICAL OPERATION OR MEDICAL INTERVENTION INTENDED TO ALTER THE
35 APPEARANCE OR ANATOMY OF AN INDIVIDUAL TO AFFIRM THE INDIVIDUAL'S
36 PERCEPTION OF THE INDIVIDUAL'S SEX IN A WAY THAT IS INCONSISTENT WITH THE
37 INDIVIDUAL'S BIOLOGICAL SEX.

38 Sec. 3. Legislative right of intervention

39 The legislature, by joint resolution, may appoint one or more of its
40 members who sponsored or cosponsored this act in the member's official
41 capacity to intervene or defend the statute as a matter of right in any
42 case in which the constitutionality or enforceability of this act or any
43 portion of this act or any rule adopted pursuant to this act is
44 challenged.

1 Sec. 4. Legislative findings

2 The legislature finds that:

3 1. This state has a compelling government interest in protecting
4 the health and safety of its citizens, especially vulnerable children.

5 2. Only a tiny percentage of the American population experiences
6 distress at identifying with their biological sex. According to the
7 American psychiatric association, prevalence ranges from 0.005 to 0.014
8 percent for natal adult males and from 0.002 to 0.003 percent for natal
9 females.

10 3. For the small percentage of children who are
11 gender-nonconforming or who experience distress at identifying with their
12 biological sex, studies consistently demonstrate that the majority come to
13 identify with their biological sex in adolescence or adulthood, thereby
14 rendering most medical health care interventions unnecessary.

15 4. Scientific studies show that individuals experiencing distress
16 at identifying with their biological sex often have already experienced
17 psychopathology, which indicates these individuals should be encouraged to
18 seek mental health care services before undertaking any surgical or
19 hormonal intervention.

20 5. Suicide rates, psychiatric morbidities and mortality rates
21 remain markedly elevated above the background population after inpatient
22 gender reassignment procedures have been performed.

23 6. Some health care providers are prescribing puberty-blocking
24 drugs in order to delay the onset or progression of normally timed puberty
25 in children who experience distress at identifying with their biological
26 sex. This is being done despite the lack of any long-term longitudinal
27 studies evaluating the risks and benefits of using these drugs to treat
28 such distress or gender transition.

29 7. Health care providers are also prescribing cross-sex hormones
30 for children who experience distress at identifying with their biological
31 sex, despite the fact that no randomized clinical trials have been
32 conducted on the efficacy or safety of the use of cross-sex hormones in
33 adults or children for the purpose of treating such distress or gender
34 transition.

35 8. The use of cross-sex hormones comes with the following serious
36 known risks:

37 (a) For females, erythrocytosis, severe liver dysfunction, coronary
38 artery disease, cerebrovascular disease, hypertension, increased risk of
39 breast and uterine cancers and irreversible infertility.

40 (b) For males, thromboembolic disease, cholelithiasis, coronary
41 artery disease, macroprolactinoma, cerebrovascular disease,
42 hypertriglyceridemia, breast cancer and irreversible infertility.

43 9. The risks of gender transition procedures far outweigh any
44 benefit at this stage of clinical study on these procedures.