

REFERENCE TITLE: civil liability; gender reassignment surgery

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1094

Introduced by
Senator Kavanagh

AN ACT

AMENDING TITLE 12, CHAPTER 6, ARTICLE 12, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-723; RELATING TO SPECIAL ACTIONS AND PROCEEDINGS BY
INDIVIDUAL PERSONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 12, chapter 6, article 12, Arizona Revised
3 Statutes, is amended by adding section 12-723, to read:

4 12-723. Irreversible gender reassignment surgery; civil
5 liability; statute of limitations; definitions

6 A. A PHYSICIAN WHO PROVIDES IRREVERSIBLE GENDER REASSIGNMENT
7 SURGERY TO A MINOR IN VIOLATION OF SECTION 32-3230 IS LIABLE IN A CIVIL
8 ACTION TO THE MINOR FOR DAMAGES THAT RESULT FROM THE SURGERY, INCLUDING
9 ANY DAMAGES THAT WOULD NOT HAVE OTHERWISE OCCURRED BUT FOR THE SURGERY.

10 B. IT IS NOT A DEFENSE TO LIABILITY UNDER THIS SECTION THAT THE
11 MINOR'S PARENTS CONSENTED TO THE IRREVERSIBLE GENDER REASSIGNMENT SURGERY.

12 C. A PERSON WHO PREVAILS UNDER THIS SECTION SHALL BE AWARDED ACTUAL
13 DAMAGES, INCLUDING DAMAGES FOR MENTAL ANGUISH EVEN IF AN INJURY OTHER THAN
14 MENTAL ANGUISH IS NOT SHOWN, EXEMPLARY DAMAGES, COURT COSTS AND REASONABLE
15 ATTORNEY FEES.

16 D. NOTWITHSTANDING ANY OTHER LAW, AN ACTION FOR THE RECOVERY OF
17 DAMAGES UNDER THIS SECTION SHALL BE COMMENCED NOT LATER THAN TWENTY-FIVE
18 YEARS AFTER THE MINOR TURNS EIGHTEEN YEARS OF AGE OR FOUR YEARS AFTER THE
19 MINOR WHO HAD THE IRREVERSIBLE GENDER REASSIGNMENT SURGERY UNDERGOES
20 DETransition TREATMENT, WHICHEVER IS LATER.

21 E. FOR THE PURPOSES OF THIS SECTION:

22 1. "IRREVERSIBLE GENDER REASSIGNMENT SURGERY" HAS THE SAME MEANING
23 PRESCRIBED IN SECTION 32-3230.

24 2. "PHYSICIAN" HAS THE SAME MEANING PRESCRIBED IN SECTION 32-3230.