Senate Bill 452

Sponsored by Senator HANSELL; Senator FINDLEY (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Prohibits physicians from performing irreversible gender reassignment surgery on minor. Creates exceptions.

A BILL FOR AN ACT

Relating to gender reassignment surgery.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 677.

SECTION 2. (1) As used in this section:

(a) "Biological sex" means the biological indication of male or 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 a person's psychological, chosen or subjective experience of gender.

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

(c) "Gender transition" means the process involving any social, legal or physical changes by 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.

(2) A physician may not perform any of the following procedures on a person under 18 years of age for the purpose of assisting the person with an irreversible gender transition:

(a) Penectomy, orchiectomy, vaginoplasty, clitioroplasty or vulvoplasty for a biologically male person or hysterectomy or oophorectomy for a biologically female person.

(b) Metoidioplasty, phalloplasty, vaginectomy, scrotoplasty or implantation of erection or testicular prostheses for a biologically female person.

(c) Augmentation mammoplasty for a biologically male person or subcutaneous mastectomy for a biologically female person.

(3) Notwithstanding subsection (2) of this section, a physician may provide the following necessary services and medical treatment to a person under 18 years of age:

(a) Services to a person born with a medically verifiable disorder of sex development, including a person with external biological sex characteristics that are irresolvably ambiguous, such as being born with 46 XX chromosomes with virilization or 46 XY chromosomes with undervirilization or having both ovarian and testicular tissue.

(b) Services provided when a physician has otherwise diagnosed a disorder of sexual development and has determined through genetic or biochemical testing that the person does

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

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not have normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action.

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

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

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