

HOUSE COMMITTEE OF REFERENCE REPORT

February 13, 2019

Chair of Committee

Date

Committee on Public Health Care & Human Services.

After consideration on the merits, the Committee recommends the following:

HB19-1129 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, line 21, strike ""CONVERSATION" and
2 substitute ""CONVERSION".

3 Page 4, strike lines 20 through 27.

4 Strike page 5 and substitute:

5 **"SECTION 6.** In Colorado Revised Statutes, 12-240-104, **add as**
6 **relocated by House Bill 19-1172 (5.5)** as follows:

7 **12-240-104. Definitions.** As used in this article 240, unless the
8 context otherwise requires:

9 (5.5) (a) "CONVERSION THERAPY" MEANS ANY PRACTICE OR
10 TREATMENT BY A LICENSED PHYSICIAN SPECIALIZING IN THE PRACTICE OF
11 PSYCHIATRY THAT ATTEMPTS OR PURPORTS TO CHANGE AN INDIVIDUAL'S
12 SEXUAL ORIENTATION OR GENDER IDENTITY, INCLUDING EFFORTS TO
13 CHANGE BEHAVIORS OR GENDER EXPRESSIONS OR TO ELIMINATE OR
14 REDUCE SEXUAL OR ROMANTIC ATTRACTION OR FEELINGS TOWARD
15 INDIVIDUALS OF THE SAME SEX.

16 (b) "CONVERSION THERAPY" DOES NOT INCLUDE PRACTICES OR
17 TREATMENTS THAT PROVIDE:

18 (I) ACCEPTANCE, SUPPORT, AND UNDERSTANDING FOR THE
19 FACILITATION OF AN INDIVIDUAL'S COPING, SOCIAL SUPPORT, AND
20 IDENTITY EXPLORATION AND DEVELOPMENT, INCLUDING SEXUAL
21 ORIENTATION-NEUTRAL INTERVENTIONS TO PREVENT OR ADDRESS

1 UNLAWFUL CONDUCT OR UNSAFE SEXUAL PRACTICES, AS LONG AS THE
2 COUNSELING DOES NOT SEEK TO CHANGE SEXUAL ORIENTATION OR
3 GENDER IDENTITY; OR

4 (II) ASSISTANCE TO A PERSON UNDERGOING GENDER TRANSITION.

5 **SECTION 7.** In Colorado Revised Statutes, 12-240-121, **add as**
6 **relocated by House Bill 19-1172** (1)(ee) as follows:

7 **12-240-121. Unprofessional conduct - definitions.**

8 (1) "Unprofessional conduct" as used in this article 240 means:

9 (ee) ENGAGING IN CONVERSION THERAPY WITH A PATIENT WHO IS
10 UNDER EIGHTEEN YEARS OF AGE.

11 **SECTION 8.** In Colorado Revised Statutes, 12-245-202, **add as**
12 **relocated by House Bill 19-1172** (3.5) as follows:

13 **12-245-202. Definitions.** As used in this article 245, unless the
14 context otherwise requires:

15 (3.5) (a) "CONVERSION THERAPY" MEANS ANY PRACTICE OR
16 TREATMENT BY A LICENSEE, REGISTRANT, OR CERTIFICATE HOLDER THAT
17 ATTEMPTS OR PURPORTS TO CHANGE AN INDIVIDUAL'S SEXUAL
18 ORIENTATION OR GENDER IDENTITY, INCLUDING EFFORTS TO CHANGE
19 BEHAVIORS OR GENDER EXPRESSIONS OR TO ELIMINATE OR REDUCE
20 SEXUAL OR ROMANTIC ATTRACTION OR FEELINGS TOWARD INDIVIDUALS
21 OF THE SAME SEX.

22 (b) "CONVERSION THERAPY" DOES NOT INCLUDE PRACTICES OR
23 TREATMENTS THAT PROVIDE:

24 (I) ACCEPTANCE, SUPPORT, AND UNDERSTANDING FOR THE
25 FACILITATION OF AN INDIVIDUAL'S COPING, SOCIAL SUPPORT, AND
26 IDENTITY EXPLORATION AND DEVELOPMENT, INCLUDING SEXUAL
27 ORIENTATION-NEUTRAL INTERVENTIONS TO PREVENT OR ADDRESS
28 UNLAWFUL CONDUCT OR UNSAFE SEXUAL PRACTICES, AS LONG AS THE
29 COUNSELING DOES NOT SEEK TO CHANGE SEXUAL ORIENTATION OR
30 GENDER IDENTITY; OR

31 (II) ASSISTANCE TO A PERSON UNDERGOING GENDER TRANSITION.

32 **SECTION 9.** In Colorado Revised Statutes, 12-245-224, **add as**
33 **relocated by House Bill 19-1172** (1)(t)(V) as follows:

34 **12-245-224. Prohibited activities - related provisions.** (1) A
35 person licensed, registered, or certified under this article 245 violates this
36 article 245 if the person:

37 (t) Has engaged in any of the following activities and practices:

38 (V) CONVERSION THERAPY WITH A CLIENT WHO IS UNDER
39 EIGHTEEN YEARS OF AGE.

40 **SECTION 10. Act subject to petition - effective date.**

41 (1) Except as otherwise provided in subsection (2) of this section, this act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2020 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.

10 (2) Sections 6, 7, 8, and 9 of this act take effect only if House Bill
11 19-1172 becomes law, in which case sections 6, 7, 8, and 9 take effect
12 October 1, 2019."

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