

By Senator Baxley

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1 A bill to be entitled
2 An act relating to the Vulnerable Child Protection
3 Act; creating s. 456.0335, F.S.; providing a short
4 title; defining the term "sex"; providing criminal
5 penalties for health care practitioners who engage in
6 or cause specified practices to be performed on a
7 minor under certain conditions; providing
8 applicability; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 456.0335, Florida Statutes, is created
13 to read:

14 456.0335 Vulnerable Child Protection Act.-

15 (1) This section may be cited as the "Vulnerable Child
16 Protection Act."

17 (2) As used in this section, the term "sex" means the
18 biological state of being female or male based on sex organs,
19 chromosomes, and endogenous hormone profiles.

20 (3) A health care practitioner who engages in any of the
21 following practices upon a minor, or who causes such practices
22 to be performed upon a minor, for the purpose of attempting to
23 change the minor's sex, or for the purpose of affirming the
24 minor's perception of the minor's sex if that perception is
25 inconsistent with the minor's sex, commits a felony of the
26 second degree, punishable as provided in s. 775.082, s. 775.083,
27 or s. 775.084:

28 (a) Performing surgeries that sterilize, including
29 castration, vasectomy, hysterectomy, oophorectomy,

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30 metoidioplasty, orchiectomy, penectomy, phalloplasty, and
31 vaginoplasty;

32 (b) Performing a mastectomy;

33 (c) Administering, prescribing, or supplying the following
34 medications that induce transient or permanent infertility:

35 1. Puberty-blocking medication, which stops or delays
36 normal puberty;

37 2. Supraphysiologic doses of testosterone, to females; or

38 3. Supraphysiologic doses of estrogen, to males; or

39 (d) Removing any otherwise healthy or nondiseased body part
40 or tissue.

41 (4) This section does not apply to a health care
42 practitioner acting in accordance with a good faith medical
43 decision of a parent or guardian of a minor born with a
44 medically verifiable genetic disorder of sex development,
45 including:

46 (a) External biological sex characteristics that are
47 unresolvably ambiguous, such as the minor being born with having
48 46 XX chromosomes with virilization, 46 XY chromosomes with
49 undervirilization, or both ovarian and testicular tissue.

50 (b) A sexual development disorder whereby a physician has
51 determined through genetic testing that the minor does not have
52 the normal chromosome structure for a male or a female.

53 Section 2. This act shall take effect July 1, 2020.