Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 26, 2019, the following bill was signed into law:

HB664 HD2 SD1 RELATING TO GENDER IDENTITY
ACT 157 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai‘i
A BILL FOR AN ACT

RELATING TO GENDER IDENTITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 453J, Hawaii Revised Statutes, is amended by amending its title to read as follows:


CONVERSION THERAPY PROHIBITED FOR SEXUAL ORIENTATION [CHANGE EFFORTS] AND GENDER IDENTITY"

SECTION 2. Section 453J-1, Hawaii Revised Statutes, is amended to read as follows:

"[4]§453J-1[4]—Sexual-orientation-change-efforts"

Conversion therapy prohibited; advertising prohibited. (a) No person who is licensed to provide professional counseling shall:

(1) Engage in or attempt to engage in [sexual-orientation change-efforts] conversion therapy on a person under eighteen years of age; or

(2) Advertise the offering of [sexual-orientation change efforts] conversion therapy on a person under eighteen years of age.
(b) Any person who is licensed to provide professional counseling who engages in or attempts to engage in the offering of [sexual orientation change efforts] conversion therapy on a person under eighteen years of age shall be subject to disciplinary action by the appropriate professional licensing authority.

(c) For purposes of this section:

"Advertise" means a communication made by or on behalf of a person who is licensed to provide professional counseling, made for the purpose of inducing or promoting a professional counseling relationship in which [sexual orientation change efforts] conversion therapy will be undertaken on a person under the age of eighteen. "Advertise" includes oral, written, graphic, or pictorial statements or representations, including those made through any electronic or print medium.

"Conversion therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.
"Conversion therapy" shall not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

"Person who is licensed to provide professional counseling" means a person who performs counseling as part of the person's professional training, including a physician, especially one practicing psychiatry, licensed pursuant to chapter 453; psychologist licensed pursuant to chapter 465; nurse licensed pursuant to chapter 457; social worker licensed pursuant to chapter 467E; licensed mental health counselor licensed pursuant to chapter 453D; or licensed marriage and family therapist licensed pursuant to chapter 451J.

"Sexual orientation change efforts" means the practice of attempting to change a person's sexual orientation, including but not limited to efforts to change gender identity or gender
expressions and behaviors, or to reduce or eliminate sexual or
romantic attractions or feelings toward a person of the same
gender.

"Sexual orientation change efforts" shall not include
counseling supporting a person seeking to transition from one
gender to another or counseling that:

(1) Provides acceptance, support, and understanding of a
person or facilitates a person's coping, social
support, and identity exploration and development,
including sexual orientation neutral interventions to
prevent or address unlawful conduct or unsafe sexual
practices; and

(2) Does not seek to change sexual orientation, gender
identity, or gender expression.

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2019.

APPROVED this 26 day of JUN, 2019

GOVERNOR OF THE STATE OF HAWAII
HB No. 664, HD 2, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 25, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.

Scott K. Saiki
Speaker
House of Representatives

Brian L. Takeshita
Chief Clerk
House of Representatives
THE SENATE OF THE STATE OF HAWAI‘I

Date: April 5, 2019
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirtieth Legislature of the State of Hawai‘i, Regular Session of 2019.

President of the Senate

Clerk of the Senate