

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 520

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO PUBLIC FUNDS FOR GENDER TRANSITION; AMENDING TITLE 18, IDAHO
2 CODE, BY THE ADDITION OF A NEW CHAPTER 89, TITLE 18, IDAHO CODE, TO
3 ESTABLISH PROVISIONS PROHIBITING THE USE OF PUBLIC FUNDS FOR GENDER
4 TRANSITION PROCEDURES; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE
5 ADDITION OF A NEW SECTION 56-270, IDAHO CODE, TO ESTABLISH PROVISIONS
6 PROHIBITING THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES;
7 PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN
8 EFFECTIVE DATE.
9

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

11 SECTION 1. That Title 18, Idaho Code, be, and the same is hereby amended
12 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
13 ter 89, Title 18, Idaho Code, and to read as follows:

14 CHAPTER 89

15 NO PUBLIC FUNDS FOR GENDER TRANSITION

16 18-8901. USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES PRO-
17 HIBITED. (1) Public funds shall not be used, granted, paid, or distributed
18 to any entity, organization, or individual for the provision or subsidy
19 of any surgical operation or medical intervention described in section
20 18-1506C(3), Idaho Code, for purposes of altering the appearance of an
21 individual in order to affirm the individual's perception of the individ-
22 ual's sex in a way that is inconsistent with the individual's biological
23 sex regardless of whether the surgical operation or medical intervention is
24 administered to a minor or an adult, except for the surgical operations or
25 medical interventions described in section 18-1506C(4), Idaho Code.

26 (2) Any amount paid by an entity, organization, or individual during a
27 taxable year for the provision of surgical operations or medical interven-
28 tions described in section 18-1506C(3), Idaho Code, for purposes of altering
29 the appearance of an individual in order to affirm the individual's percep-
30 tion of the individual's sex in a way that is inconsistent with the individ-
31 ual's biological sex regardless of whether the surgical procedure or medi-
32 cal intervention is administered to a minor or an adult shall not be tax-de-
33 ductible, except for the surgical operations or medical interventions de-
34 scribed in section 18-1506C(4), Idaho Code.

35 (3) The Idaho medicaid program shall not reimburse or provide coverage
36 for the use of the surgical operations or medical interventions described in
37 section 18-1506C(3), Idaho Code, for purposes of altering the appearance of
38 an individual in order to affirm the individual's perception of the individ-
39 ual's sex in a way that is inconsistent with the individual's biological sex
40 regardless of whether the surgical operation or medical intervention is ad-

1 ministered to a minor or an adult, except for the surgical operations or med-
2 ical interventions described in section 18-1506C(4), Idaho Code.

3 (4) No physician or other health care professional in the course and
4 scope of employment by the state or a county or local government may pro-
5 vide the surgical operations or medical interventions described in section
6 18-1506C(3), Idaho Code, for purposes of altering the appearance of an in-
7 dividual in order to affirm the individual's perception of the individual's
8 sex in a way that is inconsistent with the individual's biological sex re-
9 gardless of whether the surgical operation or medical intervention is admin-
10 istered to a minor or an adult, except for the surgical operations or medical
11 interventions described in section 18-1506C(4), Idaho Code.

12 (5) No state property, facility, or building may be used to provide
13 the surgical operations or medical interventions described in section
14 18-1506C(3), Idaho Code, for purposes of altering the appearance of an
15 individual in order to affirm the individual's perception of the individ-
16 ual's sex in a way that is inconsistent with the individual's biological
17 sex regardless of whether the surgical operation or medical intervention is
18 administered to a minor or an adult, except for the surgical operations or
19 medical interventions described in section 18-1506C(4), Idaho Code.

20 (6) Any intentional violation of the provisions of this chapter by a
21 public officer or public employee shall be considered a misuse of public mon-
22 eys punishable pursuant to section 18-5702, Idaho Code.

23 SECTION 2. That Chapter 2, Title 56, Idaho Code, be, and the same is
24 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
25 ignated as Section 56-270, Idaho Code, and to read as follows:

26 56-270. PROHIBITION ON REIMBURSEMENT AND COVERAGE. Pursuant to chap-
27 ter 89, title 18, Idaho Code, the Idaho medicaid program shall not reimburse
28 or provide coverage for any surgical operation or medical intervention de-
29 scribed in section 18-1506C(3), Idaho Code, for purposes of altering the ap-
30 pearance of an individual in order to affirm the individual's perception of
31 the individual's sex in a way that is inconsistent with the individual's bi-
32 ological sex regardless of whether the surgical operation or medical inter-
33 vention is administered to a minor or an adult, except for the surgical op-
34 erations or medical interventions described in section 18-1506C(4), Idaho
35 Code.

36 SECTION 3. SEVERABILITY. The provisions of this act are hereby declared
37 to be severable and if any provision of this act or the application of such
38 provision to any person or circumstance is declared invalid for any reason,
39 such declaration shall not affect the validity of the remaining portions of
40 this act.

41 SECTION 4. An emergency existing therefor, which emergency is hereby
42 declared to exist, this act shall be in full force and effect on and after
43 July 1, 2024.