

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 572

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE PEDIATRIC SECRETIVE TRANSITIONS PARENTAL RIGHTS ACT; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1016, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING CERTAIN PROHIBITED ACTS, TO PROVIDE FOR CIVIL ACTIONS, AND TO PROVIDE FOR ATTORNEY GENERAL ENFORCEMENT; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1016, Idaho Code, and to read as follows:

32-1016. PEDIATRIC SECRETIVE TRANSITIONS PARENTAL RIGHTS ACT. (1) This section shall be known and may be cited as the "Pediatric Secretive Transitions Parental Rights Act."

(2) The legislature finds that:

(a) Parents have a fundamental right to raise their children and make medical and educational decisions on their behalf;

(b) Medical and social sex transitions can inflict severe and irreversible harm to a child's well-being; and

(c) It is undoubtedly a parental purview and prerogative to have knowledge of, and the authority to deny, a child's efforts at sex transition procedures or social transitions.

(3) It is the intent of the legislature to prohibit any health care provider, educational institution, or mandated reporter of child neglect or abuse from facilitating a pediatric sex transition or social transition without informing and obtaining informed consent from a minor child's parents or guardians.

(4) As used in this section:

(a) "Aggrieved person" means the parent or guardian of a child subjected to social transition or sex transition procedures.

(b) "Child" means an individual who is less than eighteen (18) years of age and who is not married or legally emancipated.

(c) "Covered entity" means a mandated reporter of child abuse or neglect pursuant to state law, a primary or secondary educational institution, a child care provider, or a medical, behavioral, or mental health care provider.

(d) (i) "Sex transition procedure" means engaging in any one (1) or more of the following for the purpose of: (i) intentionally delaying, halting, or disrupting the natural development of an individual's body, including the onset or progression of puberty, so that it does not develop or halts developing to correspond to the

1 individual's sex; or (ii) intentionally changing an individual's
 2 body, including the individual's external appearance or biologi-
 3 cal functions, to no longer correspond to the individual's sex:

4 1. The use of puberty blockers, including gonadotropin re-
 5 leasing hormone agonists and antagonists;

6 2. The use of sex hormones, such as androgen blockers, es-
 7 trogen, anti-estrogen, progesterone, testosterone, or di-
 8 hydrotestosterone blockers; or

9 3. Surgical procedures that attempt to transform an indi-
 10 vidual's physical appearance or that attempt to alter or re-
 11 move an individual's sexual organs.

12 (ii) "Sex transition procedure" does not include:

13 1. Appropriate and medically necessary procedures to treat
 14 a verifiable disorder of sexual development, including an
 15 individual born with forty-six (46) XX chromosomes with vir-
 16 ilization, an individual born with forty-six (46) XY chromo-
 17 somes with undervirilization, or an individual having both
 18 ovarian and testicular tissue;

19 2. The treatment of any infection, injury, disease, or dis-
 20 order that has been caused or exacerbated by the performance
 21 of an intervention described in paragraph (d)(i) of this
 22 section without regard to whether the intervention was per-
 23 formed in accordance with state or federal law; or

24 3. Any intervention undertaken because an individual suf-
 25 fers from any diagnosed and verifiable condition of the
 26 body's organ systems, including traumatic bodily injuries,
 27 congenital structural anomalies of major organs or systems,
 28 or acute illnesses with a high probability of rapid mortal-
 29 ity.

30 (e) "Social transition" means the nonmedical process by which an in-
 31 dividual adopts a name, pronouns, appearance, or mannerisms associated
 32 with a gender other than from such individual's biological sex.

33 (5) A covered entity shall not withhold information from a child's par-
 34 ent or guardian related to the parent's child's expressed interest in or de-
 35 sire for sex transition procedures.

36 (6) A covered entity shall not facilitate or contribute to a child's ef-
 37 forts to obtain sex transition procedures without the express written con-
 38 sent of such child's parent or guardian.

39 (7) An aggrieved person may commence an action at law or equity in a
 40 court of competent jurisdiction against a covered entity for violations of
 41 this section.

42 (8) If an aggrieved person proves that a covered entity violated the
 43 provisions of this section, such aggrieved person is entitled to recover:

44 (a) Declaratory relief;

45 (b) Injunctive relief;

46 (c) Statutory damages of not less than fifty thousand dollars (\$50,000)
 47 assessed against the covered entity found by a court or jury to have vio-
 48 lated this section;

49 (d) Compensatory damages; and

50 (e) Reasonable costs and attorney's fees.

1 (9) The attorney general shall have the authority to investigate alle-
2 gations of violations of this section.

3 (10) In addition to any relief granted to aggrieved persons under a
4 civil action, the attorney general may seek civil penalties of up to one hun-
5 dred thousand dollars (\$100,000) against a covered entity for violation of
6 this section. Such civil penalties shall be deposited in the state general
7 fund.

8 (11) The attorney general may file suit for a writ of mandamus com-
9 pelling covered entities to comply with the provisions of this section.

10 SECTION 2. SEVERABILITY. The provisions of this act are hereby declared
11 to be severable and if any provision of this act or the application of such
12 provision to any person or circumstance is declared invalid for any reason,
13 such declaration shall not affect the validity of the remaining portions of
14 this act.

15 SECTION 3. An emergency existing therefor, which emergency is hereby
16 declared to exist, this act shall be in full force and effect on and after
17 July 1, 2026.