

HOUSE BILL No. 1569

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-3.

Synopsis: Restrictions on DOC provision of gender therapy. Provides that the department of correction may not authorize the payment of any money, the use of any state resources, or the payment of any federal money administered by the state to provide or facilitate the provision of hormonal therapy or sexual reassignment surgery to an offender patient.

Effective: July 1, 2023.

Mayfield

January 19, 2023, read first time and referred to Committee on Courts and Criminal Code.



First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1569

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 11-10-3-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. ~~As used in~~ **The**
3 **following definitions apply throughout** this chapter:

4 **(1) "Hormonal therapy" means the use of hormones to**
5 **stimulate the development or alteration of an individual's**
6 **sexual characteristics for the purpose of altering the**
7 **individual's physical appearance or bodily functions so that**
8 **the individual appears, resembles, or functions more like an**
9 **individual of the opposite gender or sex.**

10 **(2) "Offender patient" means an individual incarcerated at a**
11 **facility operated by the department who:**

12 **(A) was not receiving hormonal therapy from a medical**
13 **doctor before the date on which the individual committed**
14 **the crime for which the individual is incarcerated; or**

15 **(B) was not receiving hormonal therapy while incarcerated**
16 **before July 1, 2023.**

17 **(3) "Physician" means an individual holding a license to practice**



1 medicine in Indiana, issued by the medical licensing board of
 2 Indiana, or a medical officer of the United States government who
 3 is in Indiana performing his official duties.

4 **(4) "Psychiatrist"** means a physician who is certified or board
 5 qualified by the American Board of Psychiatry and Neurology, or
 6 a board with equivalent standards approved by the American
 7 Osteopathic Association.

8 **(5) "Psychologist"** means an individual holding a valid certificate
 9 to practice psychology in Indiana, issued by the state psychology
 10 board.

11 **(6) "Qualified medical personnel"** means individuals engaged in
 12 the delivery of a medical or health care service who have been
 13 licensed, certified, or otherwise properly qualified under the laws
 14 of Indiana applicable to that particular service.

15 **(7) "Sexual reassignment surgery"** means one (1) or more
 16 surgical procedures performed on an individual to alter the
 17 individual's physical appearance or the functions of the
 18 individual's sexual characteristics so that the individual
 19 appears, resembles, or functions more like an individual of the
 20 opposite gender or sex.

21 SECTION 2. IC 11-10-3-3.5 IS ADDED TO THE INDIANA CODE
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 23 1, 2023]: **Sec. 3.5. The department may not authorize the payment**
 24 **of any money, the use of any state resources, or the payment of any**
 25 **federal money administered by the state to provide or facilitate the**
 26 **provision of hormonal therapy or sexual reassignment surgery to**
 27 **an offender patient.**

