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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3264

04/19/2023 Authored by Franson, Knudsen, Altendorf, Harder, Fogelman and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; providing criminal penalties for health care practitioners who
1.3 perform or cause to be performed specified practices on a minor under certain
1.4 conditions; proposing coding for new law in Minnesota Statutes, chapter 145.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [145.4097] PROM ACT.

1.7 Subdivision 1. Citation. This section may be cited as the "PROM (Protect Reproductive
1.8 Organs of Minors) Act."

1.9 Subd. 2. Definitions. As used in this section, the following terms have the meanings
1.10 given.

1.11 Minor. A "minor" is any individual who is under the age of 18.

1.12 Sex. "Sex" means the biological state of being female or male based on sex organs,
1.13 chromosomes, and endogenous hormone profiles.

1.14 Subd. 3. Criminal penalties. A health care practitioner who performs any of the
1.15 following practices upon a minor, or who causes such practices to be performed upon a
1.16 minor, for the purpose of attempting to change the minor's sex or for the purpose of affirming
1.17 the minor's perception of the minor's sex if that perception is inconsistent with the minor's
1.18 sex, commits a felony in the first degree:

1.19 (a) surgeries that sterilize, including castration, vasectomy, hysterectomy, oophorectomy,
1.20 metoidioplasty, orchiectomy, penectomy, phalloplasty, and vaginoplasty; mastectomy;

1.21 (b) administering, prescribing, or supplying the following medications that induce
1.22 transient or permanent infertility:

2.1 (1) puberty-blocking medication, which stops or delays normal puberty;

2.2 (2) supraphysiologic doses of testosterone, to females; or

2.3 (3) supraphysiologic doses of estrogen, to males; or

2.4 (c) removing any otherwise healthy or nondiseased body part or tissue.

2.5 Subd. 4. **Application.** This section does not apply to a health care practitioner acting in  
2.6 accordance with a good faith medical decision of a parent or guardian of a minor born with  
2.7 a medically verifiable genetic disorder of sex development, including external biological  
2.8 sex characteristics that are ambiguous, such as a minor who has 46 XX chromosomes with  
2.9 virilization; XY chromosomes with undervirilization; or both ovarian and testicular tissue;  
2.10 or a minor who has a sexual development disorder whereby a physician has determined  
2.11 through genetic testing that the minor does not have the normal chromosome structure for  
2.12 a male or a female.