

45:1-54 & 45:1-55
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2013 **CHAPTER:** 150

NJSA: 45:1-54 & 45:1-55 (Protects minors by prohibiting attempts to change sexual orientation)

BILL NO: A3371 (Substituted for S2278)

SPONSOR(S) Eustace and others

DATE INTRODUCED: October 15, 2012

COMMITTEE: **ASSEMBLY:** Women and Children
 SENATE: -

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 24, 2013
 SENATE: June 27, 2013

DATE OF APPROVAL: August 19, 2013

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted) Yes

A3371

SPONSOR'S STATEMENT (Begins on page 5 of introduced bill): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
 SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2278

SPONSOR'S STATEMENT: (Begins on page 2 introduced bill): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
 SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
GOVERNOR'S SIGNING STATEMENT:	Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
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HEARINGS:	No
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NEWSPAPER ARTICLES:	Yes
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"Governor perfecting his balancing act," The Record, 8-20-13

"Ban on anti-gay therapy signed," The Philadelphia Inquirer, 8-20-13

"N.J. becomes second state to ban gay conversion therapy for minors," The Star-Ledger, 8-20-13

"Christie Gay Therapy Stand Adds to Challenges Clouding 2016 Bid," Bloomberg Press, 8-20-13

"Christie signs Gay 'Conversion Therapy' Ban," The New York Times, 8-20-13

"Christie OKs gay conversion therapy ban," Daily Record, 8-20-13

"Snub for 'Gay conversion,'" The Wall Street Journal, 8-20-13

"NJ Teen Celebrates Anti-Conversion Therapy Law," NewJersey101.5, 8-20-13

"Jersey City 'gay conversion' group's leader blasts state ban on treating minors," The Jersey Journal, 8-20-13

LAW/RWH

Title 45.
Subtitle 1.
Chapter 1.
Article 4.(New)
Sexual
Orientation
Change Efforts
§§1,2 -
C.45:1-54 &
45:1-55

(CORRECTED COPY)

P.L.2013, CHAPTER 150, *approved August 19, 2013*
Assembly, No. 3371

1 **AN ACT** concerning the protection of minors from attempts to
2 change sexual orientation and supplementing Title 45 of the
3 Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature finds and declares that:

9 a. Being lesbian, gay, or bisexual is not a disease, disorder,
10 illness, deficiency, or shortcoming. The major professional
11 associations of mental health practitioners and researchers in the
12 United States have recognized this fact for nearly 40 years;

13 b. The American Psychological Association convened a Task
14 Force on Appropriate Therapeutic Responses to Sexual Orientation.
15 The task force conducted a systematic review of peer-reviewed
16 journal literature on sexual orientation change efforts, and issued a
17 report in 2009. The task force concluded that sexual orientation
18 change efforts can pose critical health risks to lesbian, gay, and
19 bisexual people, including confusion, depression, guilt,
20 helplessness, hopelessness, shame, social withdrawal, suicidality,
21 substance abuse, stress, disappointment, self-blame, decreased self-
22 esteem and authenticity to others, increased self-hatred, hostility
23 and blame toward parents, feelings of anger and betrayal, loss of
24 friends and potential romantic partners, problems in sexual and
25 emotional intimacy, sexual dysfunction, high-risk sexual behaviors,
26 a feeling of being dehumanized and untrue to self, a loss of faith,
27 and a sense of having wasted time and resources;

28 c. The American Psychological Association issued a resolution
29 on Appropriate Affirmative Responses to Sexual Orientation
30 Distress and Change Efforts in 2009, which states: “[T]he
31 [American Psychological Association] advises parents, guardians,
32 young people, and their families to avoid sexual orientation change
33 efforts that portray homosexuality as a mental illness or
34 developmental disorder and to seek psychotherapy, social support,

1 and educational services that provide accurate information on
2 sexual orientation and sexuality, increase family and school
3 support, and reduce rejection of sexual minority youth”;

4 d. (1) The American Psychiatric Association published a
5 position statement in March of 2000 in which it stated:
6 “Psychotherapeutic modalities to convert or ‘repair’ homosexuality
7 are based on developmental theories whose scientific validity is
8 questionable. Furthermore, anecdotal reports of ‘cures’ are
9 counterbalanced by anecdotal claims of psychological harm. In the
10 last four decades, ‘reparative’ therapists have not produced any
11 rigorous scientific research to substantiate their claims of cure.
12 Until there is such research available, [the American Psychiatric
13 Association] recommends that ethical practitioners refrain from
14 attempts to change individuals’ sexual orientation, keeping in mind
15 the medical dictum to first, do no harm;

16 (2) The potential risks of reparative therapy are great, including
17 depression, anxiety and self-destructive behavior, since therapist
18 alignment with societal prejudices against homosexuality may
19 reinforce self-hatred already experienced by the patient. Many
20 patients who have undergone reparative therapy relate that they
21 were inaccurately told that homosexuals are lonely, unhappy
22 individuals who never achieve acceptance or satisfaction. The
23 possibility that the person might achieve happiness and satisfying
24 interpersonal relationships as a gay man or lesbian is not presented,
25 nor are alternative approaches to dealing with the effects of societal
26 stigmatization discussed; and

27 (3) Therefore, the American Psychiatric Association opposes
28 any psychiatric treatment such as reparative or conversion therapy
29 which is based upon the assumption that homosexuality per se is a
30 mental disorder or based upon the a priori assumption that a patient
31 should change his or her sexual homosexual orientation”;

32 e. The American School Counselor Association’s position
33 statement on professional school counselors and lesbian, gay,
34 bisexual, transgender, and questioning (LGBTQ) youth states: “It is
35 not the role of the professional school counselor to attempt to
36 change a student’s sexual orientation/gender identity but instead to
37 provide support to LGBTQ students to promote student
38 achievement and personal well-being. Recognizing that sexual
39 orientation is not an illness and does not require treatment,
40 professional school counselors may provide individual student
41 planning or responsive services to LGBTQ students to promote self-
42 acceptance, deal with social acceptance, understand issues related to
43 coming out, including issues that families may face when a student
44 goes through this process and identify appropriate community
45 resources”;

46 f. The American Academy of Pediatrics in 1993 published an
47 article in its journal, Pediatrics, stating: “Therapy directed at
48 specifically changing sexual orientation is contraindicated, since it

1 can provoke guilt and anxiety while having little or no potential for
2 achieving changes in orientation”;

3 g. The American Medical Association Council on Scientific
4 Affairs prepared a report in 1994 in which it stated: “Aversion
5 therapy (a behavioral or medical intervention which pairs unwanted
6 behavior, in this case, homosexual behavior, with unpleasant
7 sensations or aversive consequences) is no longer recommended for
8 gay men and lesbians. Through psychotherapy, gay men and
9 lesbians can become comfortable with their sexual orientation and
10 understand the societal response to it”;

11 h. The National Association of Social Workers prepared a 1997
12 policy statement in which it stated: “Social stigmatization of
13 lesbian, gay, and bisexual people is widespread and is a primary
14 motivating factor in leading some people to seek sexual orientation
15 changes. Sexual orientation conversion therapies assume that
16 homosexual orientation is both pathological and freely chosen. No
17 data demonstrates that reparative or conversion therapies are
18 effective, and, in fact, they may be harmful”;

19 i. The American Counseling Association Governing Council
20 issued a position statement in April of 1999, and in it the council
21 states: “We oppose ‘the promotion of “reparative therapy” as a
22 “cure” for individuals who are homosexual”;

23 j. (1) The American Psychoanalytic Association issued a
24 position statement in June 2012 on attempts to change sexual
25 orientation, gender, identity, or gender expression, and in it the
26 association states: “As with any societal prejudice, bias against
27 individuals based on actual or perceived sexual orientation, gender
28 identity or gender expression negatively affects mental health,
29 contributing to an enduring sense of stigma and pervasive self-
30 criticism through the internalization of such prejudice; and

31 (2) Psychoanalytic technique does not encompass purposeful
32 attempts to ‘convert,’ ‘repair,’ change or shift an individual’s sexual
33 orientation, gender identity or gender expression. Such directed
34 efforts are against fundamental principles of psychoanalytic
35 treatment and often result in substantial psychological pain by
36 reinforcing damaging internalized attitudes”;

37 k. The American Academy of Child and Adolescent Psychiatry
38 in 2012 published an article in its journal, Journal of the American
39 Academy of Child and Adolescent Psychiatry, stating: “Clinicians
40 should be aware that there is no evidence that sexual orientation can
41 be altered through therapy, and that attempts to do so may be
42 harmful. There is no empirical evidence adult homosexuality can
43 be prevented if gender nonconforming children are influenced to be
44 more gender conforming. Indeed, there is no medically valid basis
45 for attempting to prevent homosexuality, which is not an illness.
46 On the contrary, such efforts may encourage family rejection and
47 undermine self-esteem, connectedness and caring, important
48 protective factors against suicidal ideation and attempts. Given that
49 there is no evidence that efforts to alter sexual orientation are

1 effective, beneficial or necessary, and the possibility that they carry
2 the risk of significant harm, such interventions are contraindicated”;

3 1. The Pan American Health Organization, a regional office of
4 the World Health Organization, issued a statement in May of 2012
5 and in it the organization states: “These supposed conversion
6 therapies constitute a violation of the ethical principles of health
7 care and violate human rights that are protected by international and
8 regional agreements.” The organization also noted that reparative
9 therapies “lack medical justification and represent a serious threat
10 to the health and well-being of affected people”;

11 m. Minors who experience family rejection based on their
12 sexual orientation face especially serious health risks. In one study,
13 lesbian, gay, and bisexual young adults who reported higher levels
14 of family rejection during adolescence were 8.4 times more likely to
15 report having attempted suicide, 5.9 times more likely to report high
16 levels of depression, 3.4 times more likely to use illegal drugs, and
17 3.4 times more likely to report having engaged in unprotected
18 sexual intercourse compared with peers from families that reported
19 no or low levels of family rejection. This is documented by Caitlin
20 Ryan et al. in their article entitled Family Rejection as a Predictor
21 of Negative Health Outcomes in White and Latino Lesbian, Gay,
22 and Bisexual Young Adults (2009) 123 Pediatrics 346; and

23 n. New Jersey has a compelling interest in protecting the
24 physical and psychological well-being of minors, including lesbian,
25 gay, bisexual, and transgender youth, and in protecting its minors
26 against exposure to serious harms caused by sexual orientation
27 change efforts.

28
29 2. a. A person who is licensed to provide professional
30 counseling under Title 45 of the Revised Statutes, including, but not
31 limited to, a psychiatrist, licensed practicing psychologist, certified
32 social worker, licensed clinical social worker, licensed social
33 worker, licensed marriage and family therapist, certified
34 psychoanalyst, or a person who performs counseling as part of the
35 person's professional training for any of these professions, shall not
36 engage in sexual orientation change efforts with a person under 18
37 years of age.

38 b. As used in this section, "sexual orientation change efforts"
39 means the practice of seeking to change a person's sexual
40 orientation, including, but not limited to, efforts to change
41 behaviors, gender identity, or gender expressions, or to reduce or
42 eliminate sexual or romantic attractions or feelings toward a person
43 of the same gender; except that sexual orientation change efforts
44 shall not include counseling for a person seeking to transition from
45 one gender to another, or counseling that:

46 (1) provides acceptance, support, and understanding of a person
47 or facilitates a person's coping, social support, and identity
48 exploration and development, including sexual orientation-neutral

1 interventions to prevent or address unlawful conduct or unsafe
2 sexual practices; and

3 (2) does not seek to change sexual orientation.

4

5 3. This act shall take effect immediately.

6

7

8

STATEMENT

9

10 This bill prohibits counseling to change the sexual orientation of
11 a minor.

12 Under the provisions of the bill, a person who is licensed to
13 provide professional counseling, including, but not limited to, a
14 psychiatrist, licensed practicing psychologist, certified social
15 worker, licensed clinical social worker, licensed social worker,
16 licensed marriage and family therapist, certified psychoanalyst, or a
17 person who performs counseling as part of the person's professional
18 training, is prohibited from engaging in sexual orientation change
19 efforts with a person under 18 years of age.

20 The bill defines "sexual orientation change efforts" as the
21 practice of seeking to change a person's sexual orientation,
22 including, but not limited to, efforts to change behaviors or gender
23 expressions, or to reduce or eliminate sexual or romantic attractions
24 or feelings toward a person of the same gender. The term, however,
25 does not include counseling for a person seeking to transition from
26 one gender to another, or counseling that: provides acceptance,
27 support, and understanding of a person or facilitates a person's
28 coping, social support, identity exploration and development,
29 including sexual orientation-neutral interventions to prevent or
30 address unlawful conduct or unsafe sexual practices; and does not
31 seek to change sexual orientation.

32

33

34

35

36 Protects minors by prohibiting attempts to change sexual
37 orientation.

ASSEMBLY, No. 3371

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED OCTOBER 15, 2012

Sponsored by:

Assemblyman TIMOTHY J. EUSTACE
District 38 (Bergen and Passaic)
Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)
Assemblywoman HOLLY SCHEPISI
District 39 (Bergen and Passaic)
Assemblyman REED GUSCIORA
District 15 (Hunterdon and Mercer)
Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

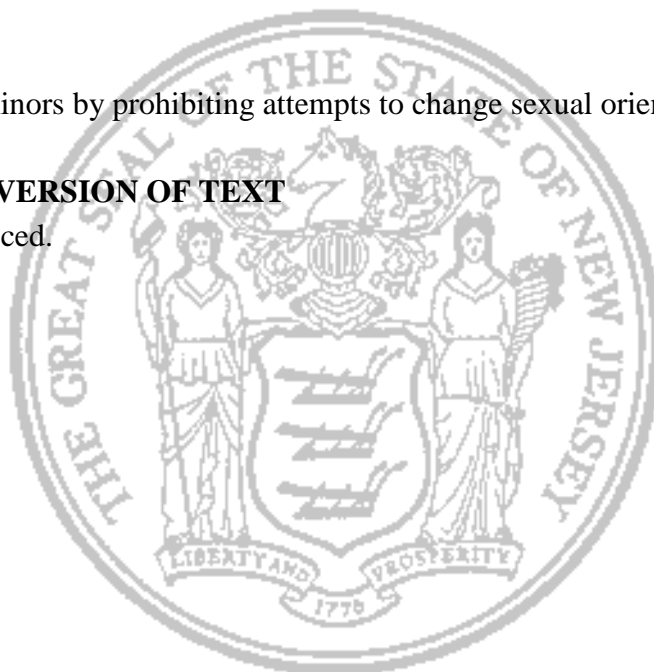
Assemblywomen Vainieri Huttel, Lampitt, Tucker, Assemblyman Wisniewski, Assemblywomen Caride, Mosquera, Jasey, Senators Lesniak, Sweeney, Weinberg, Buono and Ruiz

SYNOPSIS

Protects minors by prohibiting attempts to change sexual orientation.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2013)

1 AN ACT concerning the protection of minors from attempts to
2 change sexual orientation and supplementing Title 45 of the
3 Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. The Legislature finds and declares that:

9 a. Being lesbian, gay, or bisexual is not a disease, disorder,
10 illness, deficiency, or shortcoming. The major professional
11 associations of mental health practitioners and researchers in the
12 United States have recognized this fact for nearly 40 years;

13 b. The American Psychological Association convened a Task
14 Force on Appropriate Therapeutic Responses to Sexual Orientation.
15 The task force conducted a systematic review of peer-reviewed
16 journal literature on sexual orientation change efforts, and issued a
17 report in 2009. The task force concluded that sexual orientation
18 change efforts can pose critical health risks to lesbian, gay, and
19 bisexual people, including confusion, depression, guilt,
20 helplessness, hopelessness, shame, social withdrawal, suicidality,
21 substance abuse, stress, disappointment, self-blame, decreased self-
22 esteem and authenticity to others, increased self-hatred, hostility
23 and blame toward parents, feelings of anger and betrayal, loss of
24 friends and potential romantic partners, problems in sexual and
25 emotional intimacy, sexual dysfunction, high-risk sexual behaviors,
26 a feeling of being dehumanized and untrue to self, a loss of faith,
27 and a sense of having wasted time and resources;

28 c. The American Psychological Association issued a resolution
29 on Appropriate Affirmative Responses to Sexual Orientation
30 Distress and Change Efforts in 2009, which states: “[T]he
31 [American Psychological Association] advises parents, guardians,
32 young people, and their families to avoid sexual orientation change
33 efforts that portray homosexuality as a mental illness or
34 developmental disorder and to seek psychotherapy, social support,
35 and educational services that provide accurate information on
36 sexual orientation and sexuality, increase family and school
37 support, and reduce rejection of sexual minority youth”;

38 d. (1) The American Psychiatric Association published a
39 position statement in March of 2000 in which it stated:
40 “Psychotherapeutic modalities to convert or ‘repair’ homosexuality
41 are based on developmental theories whose scientific validity is
42 questionable. Furthermore, anecdotal reports of ‘cures’ are
43 counterbalanced by anecdotal claims of psychological harm. In the
44 last four decades, ‘reparative’ therapists have not produced any
45 rigorous scientific research to substantiate their claims of cure.
46 Until there is such research available, [the American Psychiatric
47 Association] recommends that ethical practitioners refrain from
48 attempts to change individuals’ sexual orientation, keeping in mind
49 the medical dictum to first, do no harm;

1 (2) The potential risks of reparative therapy are great, including
2 depression, anxiety and self-destructive behavior, since therapist
3 alignment with societal prejudices against homosexuality may
4 reinforce self-hatred already experienced by the patient. Many
5 patients who have undergone reparative therapy relate that they
6 were inaccurately told that homosexuals are lonely, unhappy
7 individuals who never achieve acceptance or satisfaction. The
8 possibility that the person might achieve happiness and satisfying
9 interpersonal relationships as a gay man or lesbian is not presented,
10 nor are alternative approaches to dealing with the effects of societal
11 stigmatization discussed; and

12 (3) Therefore, the American Psychiatric Association opposes
13 any psychiatric treatment such as reparative or conversion therapy
14 which is based upon the assumption that homosexuality per se is a
15 mental disorder or based upon the a priori assumption that a patient
16 should change his or her sexual homosexual orientation”;

17 e. The American School Counselor Association’s position
18 statement on professional school counselors and lesbian, gay,
19 bisexual, transgender, and questioning (LGBTQ) youth states: “It is
20 not the role of the professional school counselor to attempt to
21 change a student’s sexual orientation/gender identity but instead to
22 provide support to LGBTQ students to promote student
23 achievement and personal well-being. Recognizing that sexual
24 orientation is not an illness and does not require treatment,
25 professional school counselors may provide individual student
26 planning or responsive services to LGBTQ students to promote self-
27 acceptance, deal with social acceptance, understand issues related to
28 coming out, including issues that families may face when a student
29 goes through this process and identify appropriate community
30 resources”;

31 f. The American Academy of Pediatrics in 1993 published an
32 article in its journal, Pediatrics, stating: “Therapy directed at
33 specifically changing sexual orientation is contraindicated, since it
34 can provoke guilt and anxiety while having little or no potential for
35 achieving changes in orientation”;

36 g. The American Medical Association Council on Scientific
37 Affairs prepared a report in 1994 in which it stated: “Aversion
38 therapy (a behavioral or medical intervention which pairs unwanted
39 behavior, in this case, homosexual behavior, with unpleasant
40 sensations or aversive consequences) is no longer recommended for
41 gay men and lesbians. Through psychotherapy, gay men and
42 lesbians can become comfortable with their sexual orientation and
43 understand the societal response to it”;

44 h. The National Association of Social Workers prepared a 1997
45 policy statement in which it stated: “Social stigmatization of
46 lesbian, gay, and bisexual people is widespread and is a primary
47 motivating factor in leading some people to seek sexual orientation
48 changes. Sexual orientation conversion therapies assume that
49 homosexual orientation is both pathological and freely chosen. No

1 data demonstrates that reparative or conversion therapies are
2 effective, and, in fact, they may be harmful”;

3 i. The American Counseling Association Governing Council
4 issued a position statement in April of 1999, and in it the council
5 states: “We oppose ‘the promotion of “reparative therapy” as a
6 “cure” for individuals who are homosexual””;

7 j. (1) The American Psychoanalytic Association issued a
8 position statement in June 2012 on attempts to change sexual
9 orientation, gender, identity, or gender expression, and in it the
10 association states: “As with any societal prejudice, bias against
11 individuals based on actual or perceived sexual orientation, gender
12 identity or gender expression negatively affects mental health,
13 contributing to an enduring sense of stigma and pervasive self-
14 criticism through the internalization of such prejudice; and

15 (2) Psychoanalytic technique does not encompass purposeful
16 attempts to ‘convert,’ ‘repair,’ change or shift an individual’s sexual
17 orientation, gender identity or gender expression. Such directed
18 efforts are against fundamental principles of psychoanalytic
19 treatment and often result in substantial psychological pain by
20 reinforcing damaging internalized attitudes”;

21 k. The American Academy of Child and Adolescent Psychiatry
22 in 2012 published an article in its journal, *Journal of the American*
23 *Academy of Child and Adolescent Psychiatry*, stating: “Clinicians
24 should be aware that there is no evidence that sexual orientation can
25 be altered through therapy, and that attempts to do so may be
26 harmful. There is no empirical evidence adult homosexuality can
27 be prevented if gender nonconforming children are influenced to be
28 more gender conforming. Indeed, there is no medically valid basis
29 for attempting to prevent homosexuality, which is not an illness.
30 On the contrary, such efforts may encourage family rejection and
31 undermine self-esteem, connectedness and caring, important
32 protective factors against suicidal ideation and attempts. Given that
33 there is no evidence that efforts to alter sexual orientation are
34 effective, beneficial or necessary, and the possibility that they carry
35 the risk of significant harm, such interventions are contraindicated”;

36 l. The Pan American Health Organization, a regional office of
37 the World Health Organization, issued a statement in May of 2012
38 and in it the organization states: “These supposed conversion
39 therapies constitute a violation of the ethical principles of health
40 care and violate human rights that are protected by international and
41 regional agreements.” The organization also noted that reparative
42 therapies “lack medical justification and represent a serious threat
43 to the health and well-being of affected people”;

44 m. Minors who experience family rejection based on their
45 sexual orientation face especially serious health risks. In one study,
46 lesbian, gay, and bisexual young adults who reported higher levels
47 of family rejection during adolescence were 8.4 times more likely to
48 report having attempted suicide, 5.9 times more likely to report high
49 levels of depression, 3.4 times more likely to use illegal drugs, and

1 3.4 times more likely to report having engaged in unprotected
2 sexual intercourse compared with peers from families that reported
3 no or low levels of family rejection. This is documented by Caitlin
4 Ryan et al. in their article entitled Family Rejection as a Predictor
5 of Negative Health Outcomes in White and Latino Lesbian, Gay,
6 and Bisexual Young Adults (2009) 123 Pediatrics 346; and
7 n. New Jersey has a compelling interest in protecting the
8 physical and psychological well-being of minors, including lesbian,
9 gay, bisexual, and transgender youth, and in protecting its minors
10 against exposure to serious harms caused by sexual orientation
11 change efforts.

12
13 2. a. A person who is licensed to provide professional
14 counseling under Title 45 of the Revised Statutes, including, but not
15 limited to, a psychiatrist, licensed practicing psychologist, certified
16 social worker, licensed clinical social worker, licensed social
17 worker, licensed marriage and family therapist, certified
18 psychoanalyst, or a person who performs counseling as part of the
19 person's professional training for any of these professions, shall not
20 engage in sexual orientation change efforts with a person under 18
21 years of age.

22 b. As used in this section, "sexual orientation change efforts"
23 means the practice of seeking to change a person's sexual
24 orientation, including, but not limited to, efforts to change
25 behaviors, gender identity, or gender expressions, or to reduce or
26 eliminate sexual or romantic attractions or feelings toward a person
27 of the same gender; except that sexual orientation change efforts
28 shall not include counseling for a person seeking to transition from
29 one gender to another, or counseling that:

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

35 (2) does not seek to change sexual orientation.

36
37 3. This act shall take effect immediately.
38
39

40 STATEMENT

41
42 This bill prohibits counseling to change the sexual orientation of
43 a minor.

44 Under the provisions of the bill, a person who is licensed to
45 provide professional counseling, including, but not limited to, a
46 psychiatrist, licensed practicing psychologist, certified social
47 worker, licensed clinical social worker, licensed social worker,
48 licensed marriage and family therapist, certified psychoanalyst, or a
49 person who performs counseling as part of the person's professional

1 training, is prohibited from engaging in sexual orientation change
2 efforts with a person under 18 years of age.

3 The bill defines "sexual orientation change efforts" as the
4 practice of seeking to change a person's sexual orientation,
5 including, but not limited to, efforts to change behaviors or gender
6 expressions, or to reduce or eliminate sexual or romantic attractions
7 or feelings toward a person of the same gender. The term, however,
8 does not include counseling for a person seeking to transition from
9 one gender to another, or counseling that: provides acceptance,
10 support, and understanding of a person or facilitates a person's
11 coping, social support, identity exploration and development,
12 including sexual orientation-neutral interventions to prevent or
13 address unlawful conduct or unsafe sexual practices; and does not
14 seek to change sexual orientation.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3371

STATE OF NEW JERSEY

DATED: JUNE 13, 2013

The Assembly Women and Children Committee reports favorably Assembly Bill No. 3371.

This bill prohibits counseling to change the sexual orientation of a minor.

Under the provisions of the bill, a person who is licensed to provide professional counseling, including, but not limited to, a psychiatrist, licensed practicing psychologist, certified social worker, licensed clinical social worker, licensed social worker, licensed marriage and family therapist, certified psychoanalyst, or a person who performs counseling as part of the person's professional training, is prohibited from engaging in sexual orientation change efforts with a person under 18 years of age.

The bill defines "sexual orientation change efforts" as the practice of seeking to change a person's sexual orientation, including, but not limited to, efforts to change behaviors or gender expressions, or to reduce or eliminate sexual or romantic attractions or feelings toward a person of the same gender. The term, however, does not include counseling for a person seeking to transition from one gender to another, or counseling that: provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and does not seek to change sexual orientation.

This bill is identical to Senate Bill No. 2278 (1R) (Lesniak/Sweeney/Weinberg) which was released by the Senate Health, Human Services, and Senior Citizens Committee on March 18, 2013 and is currently pending before the Senate.

SENATE, No. 2278

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED OCTOBER 15, 2012

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

Senator Buono

SYNOPSIS

Protects minors by prohibiting counseling attempts to change sexual orientation.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/21/2012)

1 AN ACT concerning the protection of minors from counseling
2 attempts to change sexual orientation and supplementing Title 45
3 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. A person who is licensed to provide professional
9 counseling under Title 45 of the Revised Statutes, including, but not
10 limited to, a psychiatrist, licensed practicing psychologist, certified
11 social worker, licensed clinical social worker, licensed social
12 worker, licensed marriage and family therapist, certified
13 psychoanalyst, or a person who performs counseling as part of the
14 person's professional training for any of these professions, shall not
15 engage in sexual orientation change efforts with a person under 18
16 years of age.

17 b. As used in this section, "sexual orientation change efforts"
18 means the practice of seeking to change a person's sexual
19 persuasion, including, but not limited to, efforts to change behaviors
20 or gender expressions, or to reduce or eliminate sexual or romantic
21 attractions or feelings toward a person of the same gender; except
22 that sexual orientation change efforts shall not include counseling
23 that:

24 (1) provides acceptance, support, and understanding of a person
25 or facilitates a person's coping, social support, and identity
26 exploration and development, including sexual persuasion-neutral
27 interventions to prevent or address unlawful conduct or unsafe
28 sexual practices; and

29 (2) does not seek to change sexual persuasion.

30
31 2. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 This bill prohibits counseling to change the sexual orientation of
37 a minor.

38 Under the provisions of the bill, a person who is licensed to
39 provide professional counseling, including, but not limited to, a
40 psychiatrist, licensed practicing psychologist, certified social
41 worker, licensed clinical social worker, licensed social worker,
42 licensed marriage and family therapist, certified psychoanalyst, or a
43 person who performs counseling as part of the person's professional
44 training, is prohibited from engaging in sexual orientation change
45 efforts with a person under 18 years of age.

46 The bill defines "sexual orientation change efforts" as the
47 practice of seeking to change a person's sexual persuasion,
48 including, but not limited to, efforts to change behaviors or gender

1 expressions, or to reduce or eliminate sexual or romantic attractions
2 or feelings toward a person of the same gender. The term, however,
3 does not include counseling that: provides acceptance, support, and
4 understanding of a person or facilitates a person's coping, social
5 support, identity exploration and development, including sexual
6 persuasion-neutral interventions to prevent or address unlawful
7 conduct or unsafe sexual practices; and does not seek to change
8 sexual persuasion.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2278

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 18, 2013

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 2278.

As amended by the committee, this bill prohibits counseling to change the sexual orientation of a minor.

Under the provisions of the bill, a person who is licensed to provide professional counseling is prohibited from engaging in sexual orientation change efforts with a person under 18 years of age.

The bill defines "sexual orientation change efforts" as the practice of seeking to change a person's sexual orientation, including, but not limited to, efforts to change behaviors or gender expressions, or to reduce or eliminate sexual or romantic attractions or feelings toward a person of the same gender. The term, however, excludes counseling for a person seeking to transition from one gender to another, or counseling that: provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and does not seek to change sexual orientation.

The committee amended the bill to add a section expressing the Legislature's findings and declarations, replace references to "sexual persuasion" with "sexual orientation," include in the definition of "sexual orientation change efforts" the practice of seeking to change a person's gender identity, and excluding from that term counseling for a person seeking to transition from one gender to another.

As amended, this bill is identical to Assembly Bill No. 3371 (Eustace/Conaway/Schepisi/Gusciora/Burzichelli).

GOVERNOR'S STATEMENT UPON SIGNING
ASSEMBLY BILL No. 3371

Assembly Bill No. 3371, which I have signed today, prohibits individuals who are licensed to provide professional counseling under Title 45 of the New Jersey statutes from attempting to change a minor's sexual orientation.

At the outset of this debate, I expressed my concerns about government limiting parental choice on the care and treatment of their own children. I still have those concerns. Government should tread carefully into this area and I do so here reluctantly. I have scrutinized this piece of legislation with that concern in mind.

However, I also believe that on issues of medical treatment for children we must look to experts in the field to determine the relative risks and rewards. The American Psychological Association has found that efforts to change sexual orientation can pose critical health risks including, but not limited to, depression, substance abuse, social withdrawal, decreased self-esteem and suicidal thoughts.

I believe that exposing children to these health risks without clear evidence of benefits that outweigh these serious risks is not appropriate. Based upon this analysis, I sign this bill into law.

Date: 8/19/13

/s/ Chris Christie

Governor

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor

Gov. Christie Signs Bill Banning Gay Conversion Therapy On Minors

Monday, August 19, 2013 Tags: [Bill Action](#)

This morning, Governor Christie signed legislation banning the practice of gay conversion therapy on minors in New Jersey. First introduced in October 2012, Assembly Bill 3371 "prohibits counseling to change the sexual orientation of a minor." It passed both houses of the legislature with bipartisan majorities in June. With the Governor's signature, New Jersey becomes only the second state in the country that bans this practice.

Previously, the Governor has stated that he opposes conversion therapy, and his action on this bill is consistent with his belief that people are born gay and homosexuality is not a sin. From an interview with Piers Morgan in 2011: <http://youtu.be/QVNUszOgvll>

Piers Morgan: Is homosexuality a sin?

Governor Christie: Well my religion says it's a sin. I mean I think, but for me, I've always believed that people are born with the predisposition to be homosexual. And so I think if someone is born that way it's very difficult to say then that's a sin. But I understand that my Church says that, but for me personally I don't look at someone who is homosexual as a sinner.

From the Governor's attached signing statement:

Assembly Bill No. 3371, which I have signed today, prohibits individuals who are licensed to provide professional counseling under Title 45 of the New Jersey statutes from attempting to change a minor's sexual orientation.

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I believe that exposing children to these health risks without clear evidence of benefits that outweigh these serious risks is not appropriate. Based upon this analysis, I sign this bill into law.

Copy of the Governor's Statement Upon Signing Assembly Bill No. 3371[pdf 8kB]

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