moves to amend the bill on page 1, line 2, by inserting the following before the period:
"AND TO PROTECT MINORS AND ADULTS WHO HAVE DISABILITIES FROM
CONVERSION THERAPY";

and on page 4, lines 45-46, by inserting the following between the lines:

SECTION 3.2.(a) Chapter 90 of the General Statutes is amended by adding a new
Article to read:

"Article 10.
"Mental Health Protection Act.

This Article shall be known as the "Mental Health Protection Act."

The following definitions apply in this Article:

(1) Adult under guardianship. – An adult who has been adjudicated incompetent,
in accordance with Chapter 35A of the General Statutes, and who is incapable
of providing consent for conversion therapy or a similar course of therapy or
treatment.

(2) Conversion therapy. – Any practices or treatments that seek to change an
individual's sexual orientation or gender identity, including efforts to (i)
change behaviors and gender expressions or (ii) eliminate or reduce sexual or
romantic attractions or feelings toward individuals of the same gender.
Conversion therapy shall not include counseling that provides assistance to an
individual undergoing gender transition or counseling that provides
acceptance, support, and understanding of an individual or facilitates an
individual's coping, social support, and identity exploration and development,
including sexual-orientation-neutral interventions to prevent or address
unlawful conduct or unsafe sexual practices, as long as such counseling does
not seek to change an individual's sexual orientation or gender identity.
"§ 90-21.162. Conversion therapy prohibited."

(a) The following professionals shall not engage in conversion therapy with an individual under 18 years of age or an adult under guardianship:

(1) Licensed clinical social worker as defined in G.S. 90B-3.
(2) Licensed marriage and family therapist as defined in G.S. 90-270.47.
(3) Licensed clinical mental health counselor as defined in G.S. 90-330.
(4) Psychiatrist licensed in accordance with Article 1 of Chapter 90 of the General Statutes.
(5) Licensed psychologist as defined in G.S. 90-270.136.

(b) Conversion therapy practiced by any professional listed in subsection (a) of this section shall be considered unprofessional conduct and shall subject each licensed professional who engages in the practice of conversion therapy to discipline under the licensed professional's respective licensing entity.

(c) The Department of Health and Human Services shall report to the appropriate licensing entity any professional found to be in violation of this section. The Department may adopt rules to set forth and implement reporting requirements of violations of this section.

"§ 90-21.163. Prohibited State funding."

No State funds, nor any funds belonging to a municipality, agency, or political subdivision of this State, shall be expended for the purpose of conducting conversion therapy, referring an individual for conversion therapy, health benefits coverage for conversion therapy, or a grant or contract with any entity that conducts conversion therapy or refers individuals for conversion therapy.

"§ 90-21.164. Civil remedies."

(a) Any (i) professional listed in G.S. 90-21.162(a) who engages in conversion therapy with a minor or adult under guardianship and (ii) any entity that employs or has an employment contract with a professional listed in G.S. 90-21.162(a) who engages in conversion therapy with a minor or adult under guardianship, shall be liable to the minor or adult under guardianship for any physical, psychological, emotional, or physiological harms the minor or adult under guardianship suffers as a result of the conversion therapy.

(b) An individual who suffers an injury described in subsection (a) of this section, or the individual's legal representative, may bring a civil action within 25 years from the day the conversion therapy ended against the offending professional or entity. The time limitation in this subsection does not begin to run until any legal disability is removed. An individual commencing an action under this section may seek the following relief:

(1) Declaratory or injunctive relief.
(2) Compensatory damages, including pain and suffering, loss of reputation, loss of income, and loss of consortium, which includes the loss of expectation of sharing parenthood.
(3) Punitive damages.
(4) Attorneys' fees and court costs.
(5) Any other appropriate relief.
(c) Professionals listed in G.S. 90-21.162(a) and entities employing or in an employment contract with professionals listed in G.S. 90-21.162(a) may not seek a contractual waiver of the liability imposed under this section. Any attempted waiver is null and void."

SECTION 3.2.(b) This section is effective when it becomes law and applies to acts on or after that date.".

SIGNED ____________________________________________

Amendment Sponsor

SIGNED ____________________________________________

Committee Chair if Senate Committee Amendment

ADOPTED ____________  FAILED _______________  TABLED ____________