

Senate Bill 897

Sponsored by Senator SMITH DB; Senators FINDLEY, LINTHICUM, ROBINSON, THATCHER, Representatives BOSHART DAVIS, CATE, GOODWIN, HIEB, LEVY B, LEWIS, MANNIX, MORGAN, OSBORNE, RESCHKE, SCHARF, WRIGHT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits Department of Corrections from paying for or providing, directly or indirectly, gender-affirming care to individuals in custody of correctional facility in this state.

A BILL FOR AN ACT

1
2 Relating to prohibiting gender-affirming care at correctional facilities.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) "Adjudicated youth," "detention facility," "young person" and "youth" have the
6 meanings given those terms in ORS 419A.004.

7 (b) "Correctional facility" means any place used for the confinement of young persons,
8 youths or adjudicated youths or persons charged with or convicted of a crime or otherwise
9 confined under a court order, including a:

10 (A) Youth correction facility;

11 (B) Detention facility;

12 (C) Department of Corrections institution;

13 (D) Local correctional facility; or

14 (E) State hospital or a secure intensive community inpatient facility, with respect to
15 persons detained therein who are youths or adjudicated youths, who are charged with or
16 convicted of a crime or who are detained therein after having been found guilty except for
17 insanity of a crime under ORS 161.290 to 161.373 or having been found responsible except for
18 insanity under ORS 419C.411.

19 (c) "Department of Corrections institution" has the meaning given that term in ORS
20 421.005.

21 (d) "Gender-affirming care" means a procedure, service, drug, device or product that a
22 physical or behavioral health care provider prescribes to treat an individual for incongruence
23 between the individual's gender identity and the individual's sex assignment at birth.

24 (e) "Local correctional facility" has the meaning given that term in ORS 169.005.

25 (f) "Youth correction facility" has the meaning given that term in ORS 420.005.

26 (2) Notwithstanding ORS 659A.142 or any other provision of law, the Department of Cor-
27 rections may not pay for or provide, directly or indirectly, gender-affirming care to any in-
28 dividual in the custody of a correctional facility in this state.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.