

CALIFORNIA STATE BOARD OF BEHAVIORAL SCIENCES BILL ANALYSIS

BILL NUMBER: SB 934

VERSION: AMENDED JUNE 3, 2026

AUTHOR: WIENER

SPONSOR:

- EQUALITY CALIFORNIA
- LAMBDA LEGAL
- NATIONAL CENTER FOR LGBTQ RIGHTS
- TREVOR PROJECT

CURRENT POSITION: SUPPORT

SUBJECT: SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS

Summary: This bill updates the definition of “sexual orientation change efforts” as it pertains to the prohibition on therapists providing such efforts to minors. It also seeks to establish civil remedies for people of all ages harmed by sexual orientation or gender identity change efforts.

Existing Law:

- 1) Prohibits a mental health provider from engaging in sexual orientation change efforts with a patient under age 18. (Business and Professions Code (BPC) §865.1)
- 2) Makes it unprofessional conduct for a mental health provider to attempt sexual orientation change efforts on a patient under age 18. Violations are subject to disciplinary action by the mental health provider’s licensing entity. (BPC §865.2)
- 3) Defines a “mental health provider” to include licensees, registrants, and trainees of the Board of Behavioral Sciences. (BPC §865)
- 4) Defines “sexual orientation change efforts” as any practices by mental health providers seeking to change an individual’s sexual orientation, including efforts to change behaviors, gender expressions, or eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex. (BPC §865(b)(1))
- 5) Provides that sexual orientation change efforts do not include psychotherapies that do not seek to change sexual orientation, and that provide acceptance, support and understanding of or facilitation of clients’ coping, social support and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices. (BPC §865(b)(2))
- 6) Sets the time limit for an action for recovering damages suffered as a result of childhood sexual assault at the later of within 22 years of the date the plaintiff

attains the age of majority, or within 5 years of the date the plaintiff discovers, or reasonably should have discovered, that psychological injury or illness occurring after the age of majority was caused by the sexual assault. (Code of Civil Procedure (CCP) §340.11(a))

- 7) Sets the time limit for action for injury or death against a health care provider based on professional negligence to be three years after the date of the injury, or one year after the plaintiff discovers, or reasonably should have discovered, the injury, whichever occurs first. (CCP §340.5)

This Bill:

- 1) Modifies the definition of “sexual orientation change efforts” as it pertains to the prohibition on providing such efforts to minors. It is now titled “sexual orientation or gender identity change efforts”, and is defined as any practices of a licensed mental health provider that seeks to direct a patient toward a predetermined sexual orientation or gender identity outcome, including either of the following (BPC §865(b)):
 - Efforts to direct a patient toward a particular sexual orientation by reducing or increasing sexual or romantic attractions or feelings toward individuals of a particular sex,
 - Efforts to direct a patient toward a particular gender identity by altering, suppressing, or constraining the patient’s gender identity or expression.
- 2) Provides that “sexual orientation or gender identity change efforts” do not include (BPC §865(b)):
 - Nondirective psychotherapies that facilitate a patient’s coping, identity exploration, and self-understanding without seeking to achieve any particular outcome regarding sexual orientation or gender identity; and
 - Age-appropriate interventions to address unlawful conduct or unsafe practices that do not seek to direct the patient toward any particular sexual orientation or gender identity.
- 3) Updates the law to state that a mental health provider may not engage in sexual orientation or gender identity change efforts with a patient under 18 under any circumstances, and that doing so is unprofessional conduct and subject to discipline by the appropriate licensing entity. (BPC §§865.1, 865.2)
- 4) Provides that in an action to recover damages as a result of sexual orientation or gender identity change efforts, the time for commencement is the latter of the following (CCP §340.51(b)):
 - If the plaintiff was under 18 when the conduct took place, within 22 years of them attaining the age of majority.

- If the plaintiff was 18 or older when the conduct took place, within 10 years of the date of the last treatment session where the sexual orientation or gender identity change efforts occurred.
 - Within 5 years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the conduct was caused by sexual orientation or gender identity change efforts.
- 5) Defines when the plaintiff is deemed to “have discovered” the psychological illness or injury was caused by the sexual orientation or gender identity change efforts, as when they first knew or reasonably should have known that it was caused, in whole or part, by those efforts. They don’t need to know the full extent of their injury, the specific diagnosis, or that the conduct was wrong or actionable. (CCP §340.51(b))
 - 6) Provides that the discovery period begins only when the plaintiff knew or reasonably should have known the above. Their being aware of one psychological symptom or condition potentially caused by the efforts or making a connection between the efforts and any specific symptom, doesn’t establish discovery of other injuries or the full scope of harm. (CCP §340.51(b))
 - 7) Applies the above to action against a licensed mental health provider for damages from sexual orientation or gender identity change efforts, to action against a person or entity that employed a licensed mental health provider for damages from sexual orientation or gender identity change efforts, and to action against a person or entity for negligent hiring, supervision, or retention of a licensed mental health provider who engaged in sexual orientation or gender identity change efforts. (CCP §340.51(c))
 - 8) Outlines damages a plaintiff may recover, including economic damages (i.e. for medical or mental health treatment expenses, lost earnings), noneconomic damages (i.e. for pain and suffering, emotional distress), punitive damages (if conduct was willful, fraudulent, or malicious), and reasonable attorneys’ costs. (CCP §340.51(d))
 - 9) Establishes how general causation may be established in an action, including expert testimony and scientific literature, and outlines how specific causation may be inferred once general causation is established. Additionally specifies that the causation framework established reflects the principle that in cases involving latent injuries and scientific consensus of harmfulness, plaintiffs may establish causation by demonstrating that exposure to the harmful conduct was, in reasonable medical probability, a substantial contributing factor to the risk of developing the illness or injury, without requiring proof of the exact mechanism by which the harm occurred. (CCP §340.51(e))
 - 10) Establishes the types of expert testimony regarding the general psychological effects of sexual orientation or gender identity change efforts, that is to be admissible in an action, including the scientific and clinical consensus regarding its

harmfulness, types of psychological injuries it commonly causes, and the typical latency period between the efforts and the manifestation or recognition of psychological harm. (CCP §340.51(f))

- 11) Applies the provisions of the bill to any action begun on or after January 1, 2027. Additionally, it allows damage claims from conduct that occurred, in whole or part, on or after January 1, 2009, that is not litigated to finality and that would otherwise be barred as of January 1, 2027 due to the statute of limitations expiring. These claims may be commenced within 3 years of January 1, 2027, or within the statute of limitations time frames established by this bill, whichever is later. (CCP §340.51(g))
- 12) Defines “licensed mental health provider” as including the Board’s license types: LMFTs, AMFTs, MFT trainees, LEPs, LCSWs, associate clinical social workers, clinical social worker interns, LPCCs, APCCs and professional clinical counselor trainees. (CCP §340.51(a)(1))
- 13) Defines “sexual orientation or gender identity change efforts” as any practices of a licensed mental health provider that seek to direct a patient toward a predetermined sexual orientation or gender identity outcome (CCP §340.51(a)(2) and (3)).
 - It includes efforts to direct a patient toward a particular sexual orientation by reducing or increasing sexual or romantic attractions or feelings toward individuals of a particular sex.
 - It includes efforts to direct a patient to a particular gender identity by altering, suppressing, or constraining the patient’s gender identity or expression.
 - It does not include nondirective psychotherapy that facilitates the patient’s coping, identity exploration, and self-understanding without seeking any particular sexual orientation or gender identity outcome, or age-appropriate interventions to address unlawful conduct or unsafe practices that do not seek to direct the patient toward any particular sexual orientation or gender identity.

Comments:

- 1) **Author’s Intent.** In the intent language for the bill, the author states that the existing statute of limitations for professional negligence does not adequately account for the delayed recognition of psychological injury that is typical of sexual orientation or gender identity change efforts. Therefore, they are seeking this legislation to provide victims with adequate time to seek civil remedies. In their fact sheet for the bill, they note:

“The trauma of conversion therapy often takes years to fully surface, and the shame it creates silences survivors, meaning most are prevented from seeking justice by the time they recognize the harm they endured. Survivors of

conversion therapy deserve the opportunity to come forward, pursue justice, and begin the process of healing and closure.”

- 2) **Recent Supreme Court Ruling.** This bill was introduced in response to a recent Supreme Court ruling. On March 31, 2026, the Supreme Court issued its opinion in *Chiles v. Salazar*, a case involving a First Amendment free speech challenge to the State of Colorado’s law prohibiting licensed counselors from engaging in conversion therapy with minors, including treatments that attempt to change a client’s sexual orientation or gender identity. The legal challenge focused on the law’s application to “talk therapy” only and not to other types of therapy, such as physical interventions and medications.

The Court’s opinion addressed only the law in Colorado. California law was not challenged in the lawsuit, and consequently, it remains current and valid law in this State. The Court’s opinion did not change current California licensure requirements and standards of practice. Licensees are required to comply with applicable state laws and regulations governing their practice in California.

The Board will continue to monitor the proceedings in *Chiles v. Salazar* and may provide additional updates on the case, as needed.

- 3) **Current Law – BPC §865(b).** Current law defines the terms “sexual orientation change efforts,” for purposes of prohibiting these efforts on minors. This bill makes changes to that definition, some of them subtle, and some more explicit.

Current law states the following:

“Sexual orientation change efforts” means any practices by mental health providers that seek to change an individual’s sexual orientation. This includes efforts to change behaviors or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex.

“Sexual orientation change efforts” does not include psychotherapies that: (A) provide acceptance, support, and understanding of clients or the facilitation of clients’ coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and (B) do not seek to change sexual orientation.

In the bill, the definitions are revised as follows (underlining is for emphasis only, not to show all changes):

“Sexual orientation or gender identity change efforts” means any practices of a licensed mental health provider that seek to direct a patient toward a predetermined sexual orientation or gender identity outcome. Such efforts include, regardless of the direction of the intended change, either of the following:

(A) Efforts to direct a patient toward a particular sexual orientation by reducing or increasing sexual or romantic attractions or feelings toward individuals of a particular sex.

(B) Efforts to direct a patient toward a particular gender identity by altering, suppressing, or constraining the patient's gender identity or expression.

(2) "Sexual orientation or gender identity change efforts" does not include either of the following practices:

(A) Nondirective psychotherapies that facilitate a patient's coping, identity exploration, and self-understanding without seeking to achieve any particular outcome regarding sexual orientation or gender identity.

(B) Age-appropriate interventions to address unlawful conduct or unsafe practices that do not seek to direct the patient toward any particular sexual orientation or gender identity.

- 4) **BPC §865(a) – Inclusion of "Social Work Intern"**. Staff has requested that the author add the term "social work intern" to the definition of BPC 865(a). Social work interns also provide mental health services, and they are correctly included in CCP 340.51(a)(1)).

5) **Previous Legislation.**

SB 1172 (Lieu, Chapter 835, Statutes of 2012) established the existing law that prohibits a mental health provider from engaging in sexual orientation change efforts with a patient under 18. After extensive work with the author's office and stakeholders to establish a precise definition of "sexual orientation change efforts," the Board took a "support" position on the bill.

AB 2943 (Low, 2018) Proposed making advertising, offering to engage in, or engaging in sexual orientation change efforts with an individual an unfair or deceptive act under the Consumer Legal Remedies Act, allowing harmed consumers to bring legal action against violators to recover damages. The Board took a "support" position on this bill; however, the bill was withdrawn by the author and did not move forward.

- 6) **Board Position.** At its May 8, 2026 meeting, the Board took a "support" position on this bill. Since that time, the bill has been substantively amended. Substantive amendments include the following:

- Updating the definition of "sexual orientation change efforts" as it pertains to the prohibition on therapists providing such efforts to minors, to match the definition in this bill related to civil remedies.

- Modifying the previously included definition of “sexual orientation or gender identity change efforts” in the bill to specifically include altering, suppressing, or constraining someone’s gender identity or expression.
- Amends the statute of limitations to limit it to revival for conduct that occurred in whole or part on or after January 1, 2009, that had not been litigated to finality and whose statute of limitations had expired.

7) Support and Opposition.

Support:

- Alliance for TransYouth Rights (co-sponsor)
- California Legislative LGBTQ Caucus (co-sponsor)
- Equality California (co-sponsor)
- Lambda Legal (co-sponsor)
- SB 934
- Page 16
- National Center for LGBTQ Rights (co-sponsor)
- Trans Family Support Services (co-sponsor)
- Trevor Project (co-sponsor)
- Access Reproductive Justice
- Alliance for Children's Rights
- Asian Americans Advancing Justice-southern California
- Board of Behavioral Sciences
- California LGBTQ Health and Human Services Network
- California Psychological Association
- Casita Feliz Latine Lgbtq+ Center
- CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO
- Community Health Project LA
- Courage California
- El/la Para TransLatinas
- Gender Affirming Professionals
- LGBTQ+ Inclusivity, Visibility, and Empowerment (LIVE)
- Los Angeles LGBT Center
- Los Angeles LGBTQ Chamber of Commerce
- Lyon-martin Community Health Services
- National Center for Lesbian Rights
- One Institute
- Outlet a Program of Adolescent Counseling Services
- Pflag Clayton-concord
- Pflag National
- Pflag Sacramento
- Pflag San Diego County
- Rainbow Families Action Bay Area
- San Diego Pride

- Somos Familia Valle
- The San Diego LGBT Community Center
- The Translatin@ Coalition
- West Hollywood/hernan Molina, Governmental Affairs Liaison

Oppose:

- California Baptist for Biblical Values
- California Family Council
- California Teachers Supporting Gender-nonconforming Youth
- Cause: Californians United for Sex-based Evidence in Policy and Law
- Civil Justice Association of California
- Democrats for an Informed Approach to Gender
- Genspect
- International Foundation for Therapeutic and Counselling Choice
- Lesbians Advocating for a Resilient Future
- LBG (lesbian, Gay, and Bisexual) Alliance Foundation
- Our Duty
- Protection of the Educational Rights of Kids
- Sfv Alliance
- The California Baptist Capitol Ministry
- Women are Real

Oppose Unless Amended:

- California Association of Joint Powers Authorities
- California Association of School Business Officials (CASBO)
- Public Risk Innovation, Solutions, and Management (PRISM)
- Rural County Representatives of California
- Schools Excess Liability Fund (SELF)
- Women's Liberation Front

8) History.

06/09/26 From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (June 9). Re-referred to Com. on APPR.

06/09/26 Coauthors revised.

06/03/26 From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.

05/26/26 Referred to Com. on JUD.

05/20/26 In Assembly. Read first time. Held at Desk.

05/19/26 Read third time. Passed. (Ayes 30. Noes 9.) Ordered to the Assembly.

05/18/26 Read second time. Ordered to third reading.

05/14/26 Read second time and amended. Ordered to second reading.

05/14/26 From committee: Do pass as amended. (Ayes 5. Noes 2.) (May 14).

05/08/26 Set for hearing May 14.

04/20/26 April 20 hearing: Placed on APPR. suspense file.

04/10/26 Set for hearing April 20.
 04/08/26 From committee: Do pass and re-refer to Com. on APPR. (Ayes 10.
 Noes 2. Page 3757.) (April 7). Re-referred to Com. on APPR.
 04/02/26 Set for hearing April 7.
 03/25/26 Re-referred to Coms. on JUD. and APPR.
 03/19/26 From committee with author's amendments. Read second time and
 amended. Re-referred to Com. on RLS.
 02/11/26 Referred to Com. on RLS.
 01/30/26 From printer. May be acted upon on or after March 1.
 01/29/26 Introduced. Read first time. To Com. on RLS. for assignment. To print.

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AMENDED IN ASSEMBLY JUNE 3, 2026

AMENDED IN SENATE MAY 14, 2026

AMENDED IN SENATE MARCH 19, 2026

SENATE BILL

No. 934

Introduced by Senator Wiener

(Principal coauthor: Assembly Member Lee) (Coauthors: Senators Cabaldon, Cervantes, Durazo, Gonzalez, Laird, Menjivar, Padilla, Pérez, Smallwood-Cuevas, and Wahab) (Coauthors: Assembly Members Bauer-Kahan, Bonta, Elhawary, Mark González, Haney, Jackson, Solache, Ward, Wilson, ~~and~~ Zbur, and Lowenthal)

January 29, 2026

An act to *amend Sections 865, 865.1, and 865.2 of the Business and Professions Code, and to add Section ~~340.12~~ 340.51 to the Code of Civil Procedure, relating to ~~civil actions~~: sexual orientation or gender identity change efforts.*

legislative counsel's digest

SB 934, as amended, Wiener. Sexual orientation or gender identity change ~~efforts: actions for recovery of damages: statute of limitations: efforts.~~

(1) Existing law defines “sexual orientation change efforts” as practices by mental health providers that seek to change an individual’s sexual orientation, as specified. Existing law prohibits a mental health provider, as defined, from engaging in sexual orientation change efforts with a patient under 18 years of age, and provides that such efforts attempted by a mental health provider are considered unprofessional

conduct (1) if it is sexual orientation or gender identity change efforts, as defined, or (2) if it is a practice that provider's licensing entity.

This bill would define "sexual orientation or gender identity change efforts" as any practices of a licensed mental health provider that seek to direct a patient toward a predetermined sexual orientation or gender identity, as specified, and would apply the prohibitions described above to such efforts.

(2) Existing law requires that specified actions for recovery of damages suffered as a result of childhood sexual assault, as defined, be commenced within 22 years of the date the plaintiff attains the age of majority or within 5 years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the age of majority was caused by the sexual assault, whichever period expires later. Existing law imposes various procedural requirements for such claims.

This bill would require specified actions for recovery of damages suffered as a result of sexual orientation or gender identity change efforts, as defined, be commenced (1) within 22 years of the date the plaintiff attains the age of majority if the plaintiff was under the age of 18 when at the time of conduct, (2) within 10 years if the plaintiff was 18 years of age or older at the time of conduct, (3) or within 5 years of the date the plaintiff discovers that psychological injury or illness occurring after the conduct was caused by sexual orientation or gender identity change efforts, as specified. ~~The bill would define "sexual orientation or gender identity change efforts" to include efforts to direct a patient toward a particular sexual orientation or a particular gender identity, as specified.~~ The bill would apply to actions for damages commencing after January 1, 2027, against licensed mental health providers, as defined, and against persons and entities that employed or negligently hired, supervised, or retained a licensed mental health provider who engaged in sexual orientation or gender identity change efforts. The bill would make specified types of evidence, including certain expert testimony, admissible to establish causation and harm for these actions. The bill would revive certain actions arising from conduct that occurred on or after January 1, 2009 that have not been litigated to finality and that would otherwise be barred as of January 1, 2027, because the applicable statute of limitations or any other time limit had expired. The bill would provide that its provisions are severable.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares:

2 (a) The American Psychological Association, the American
3 Psychiatric Association, the American Academy of Pediatrics, the
4 American Medical Association, the American Counseling
5 Association, the American Academy of Child and Adolescent
6 Psychiatry, the American School Counselor Association, the
7 National Association of Social Workers, and every other
8 mainstream mental health and medical organization in the United
9 States have determined that efforts to change an individual's sexual
10 orientation or gender identity are harmful and ineffective.

11 (b) In 2009, the American Psychological Association Task Force
12 on Appropriate Therapeutic Responses to Sexual Orientation
13 conducted a systematic review of peer-reviewed research and
14 concluded that sexual orientation change efforts are unlikely to be
15 successful and involve some risk of harm, including depression,
16 suicidality, and anxiety. In 2021, the American Psychological
17 Association adopted a resolution concluding that gender identity
18 change efforts are harmful and ineffective and calling for their
19 elimination.

20 (c) The American Psychiatric Association has stated that it
21 “opposes any psychiatric treatment such as reparative or conversion
22 therapy which is based upon the assumption that homosexuality
23 per se is a mental disorder or based upon the a priori assumption
24 that a patient should change their sexual homosexual orientation.”

25 (d) The American Academy of Pediatrics has stated that “therapy
26 directed at specifically changing sexual orientation is
27 contraindicated, since it can provoke guilt and anxiety while having
28 little or no potential for achieving changes in orientation.”

29 (e) The World Professional Association for Transgender Health,
30 the American Medical Association, and the American
31 Psychological Association recognize that gender identity is not a
32 disorder and that efforts to change an individual's gender identity
33 are harmful.

34 (f) The scientific and clinical consensus establishes that sexual
35 orientation or gender identity change efforts pose serious risks of

~~(b) (1) “Scientific orientation change efforts” includes any practices, hopelessness, shame, social withdrawal, suicidality, substance abuse, stress, self-blame, decreased self-esteem, feelings of anger and betrayal, loss of religious faith, alienation from family, problems in sexual and emotional intimacy, sexual dysfunction, high-risk sexual behaviors, feelings of being dehumanized, and a sense of having wasted time and resources.~~

(g) The psychological harms caused by sexual orientation or gender identity change efforts often do not manifest until years or decades after the conduct occurred. Survivors frequently do not recognize their experience as conversion therapy, initially fail to recognize such treatment as harmful, fail to connect their psychological injuries to the treatment until much later in life, or are deterred from coming forward by shame instilled by the treatment itself.

(h) The dynamics of the therapeutic relationship, including the trust placed in mental health providers, the age and vulnerability of patients, the authority exercised by providers, and the shame and internalized stigma resulting from such treatment, create barriers to timely disclosure and recognition of harm similar to those recognized by this state in the context of childhood sexual assault.

(i) The existing statute of limitations for professional negligence does not adequately account for the delayed recognition of psychological injury that is characteristic of harm caused by sexual orientation or gender identity change efforts.

(j) The psychological harms described in this section result from efforts to direct a patient toward a predetermined outcome regarding the patient’s sexual orientation or gender identity, regardless of the nature of that predetermined outcome.

(k) In cases involving latent injuries where there is scientific consensus regarding harmfulness, California courts have recognized that plaintiffs may establish causation by demonstrating that exposure to the harmful conduct was, in reasonable medical probability, a substantial factor contributing to the risk of developing the injury or illness, without requiring proof of the precise mechanism by which the harm occurred. This causation framework is appropriate for claims arising from sexual orientation or gender identity change efforts, given the scientific consensus

1 regarding the harmfulness of such efforts and the latent nature of
2 the resulting psychological injuries.

3 (I) It is the intent of the Legislature to provide individuals who
4 have suffered harm as a result of sexual orientation or gender
5 identity change efforts by licensed mental health providers with
6 adequate time to seek civil remedies for the harms they have
7 suffered.

8 ~~SEC. 2. Section 340.12 is added to the Code of Civil Procedure,~~
9 ~~to read:~~

10 340.12. (a) For purposes of this section:

11 (1) ~~“Licensed mental health provider” means any of the~~
12 ~~following individuals who hold or held a valid license, certificate,~~
13 ~~or registration to practice in California at the time the conduct at~~
14 ~~issue occurred:~~

15 ~~(A) A physician or surgeon, including one specializing in the~~
16 ~~practice of psychiatry.~~

17 ~~(B) A psychologist, psychological assistant, registered~~
18 ~~psychologist, or psychology trainee.~~

19 ~~(C) A licensed marriage and family therapist, associate marriage~~
20 ~~and family therapist, or marriage and family therapist trainee.~~

21 ~~(D) A licensed educational psychologist.~~

22 ~~(E) A credentialed school psychologist.~~

23 ~~(F) A licensed clinical social worker, associate clinical social~~
24 ~~worker, or clinical social worker intern.~~

25 ~~(G) A licensed professional clinical counselor, associate~~
26 ~~professional clinical counselor, or professional clinical counselor~~
27 ~~trainee.~~

28 ~~(H) Any other person licensed, certified, or registered to provide~~
29 ~~mental health treatment under California law.~~

30 (2) ~~“Sexual orientation or gender identity change efforts” means~~
31 ~~any practices of a licensed mental health provider that seek to~~
32 ~~direct a patient toward a predetermined sexual orientation or gender~~
33 ~~identity outcome. Such efforts include, regardless of the direction~~
34 ~~of the intended change, all of the following:~~

35 ~~(A) Efforts to direct a patient toward a particular sexual~~
36 ~~orientation by eliminating, reducing, or discouraging sexual or~~
37 ~~romantic attractions or feelings toward individuals of a particular~~
38 ~~sex.~~

39 ~~(B) Efforts to direct a patient toward a particular sexual~~
40 ~~orientation by creating, promoting, or encouraging sexual or~~

~~rehabilitate or facilitate change efforts of a particular sex.~~

~~(C) Efforts to direct a patient toward a particular gender identity by eliminating, reducing, discouraging, or promoting any particular gender identity or gender expression.~~

~~(3) “Sexual orientation or gender identity change efforts” does not include either of the following practices:~~

~~(A) Nondirective psychotherapies that facilitate a patient’s coping, identity exploration, and self understanding without seeking to achieve any particular outcome regarding sexual orientation or gender identity.~~

~~(B) Age appropriate interventions to address unlawful conduct or unsafe practices that do not seek to direct the patient toward any particular sexual orientation or gender identity.~~

~~(b) In an action for recovery of damages suffered as a result of sexual orientation or gender identity change efforts, the time for commencement of the action shall be the later of the following:~~

~~(1) If the plaintiff was under 18 years of age at the time of the conduct, within 22 years of the date the plaintiff attains the age of majority.~~

~~(2) If the plaintiff was 18 years of age or older at the time of the conduct, within 10 years of the date of the last treatment session in which the sexual orientation or gender identity change efforts occurred.~~

~~(3) Within five years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the conduct was caused by sexual orientation or gender identity change efforts. For purposes of this paragraph, all of the following apply:~~

~~(A) The plaintiff shall be deemed to have discovered that psychological injury or illness was caused by sexual orientation or gender identity change efforts when the plaintiff first knew or reasonably should have known that the psychological injury or illness was caused, in whole or in part, by the sexual orientation or gender identity change efforts.~~

~~(B) The plaintiff need not have knowledge of the full extent of the injury, the specific diagnosis, or that the conduct was wrongful or actionable.~~

1 ~~(C) Knowledge that one received treatment from a licensed~~
2 ~~mental health provider, standing alone, does not constitute~~
3 ~~discovery.~~

4 ~~(D) The discovery period commences only when the plaintiff~~
5 ~~knew or reasonably should have known that psychological injury~~
6 ~~or illness generally was caused by sexual orientation or gender~~
7 ~~identity change efforts. Evidence that the plaintiff was aware of~~
8 ~~one psychological symptom or condition potentially caused by~~
9 ~~such efforts, or had made a connection between the efforts and~~
10 ~~any specific symptom, does not establish discovery of other injuries~~
11 ~~or the full scope of harm.~~

12 ~~(e) This section applies to the following actions:~~

13 ~~(1) An action against a licensed mental health provider for~~
14 ~~damages arising from sexual orientation or gender identity change~~
15 ~~efforts.~~

16 ~~(2) An action against any person or entity that employed a~~
17 ~~licensed mental health provider for damages arising from sexual~~
18 ~~orientation or gender identity change efforts.~~

19 ~~(3) An action against any person or entity for the negligent~~
20 ~~hiring, supervision, or retention of a licensed mental health provider~~
21 ~~who engaged in sexual orientation or gender identity change efforts.~~

22 ~~(d) In an action pursuant to this section, the plaintiff may recover~~
23 ~~damages, including, but not limited to, all of the following:~~

24 ~~(1) Economic damages, including medical expenses, mental~~
25 ~~health treatment costs, lost earnings, and other pecuniary losses.~~

26 ~~(2) Noneconomic damages, including pain and suffering,~~
27 ~~emotional distress, and loss of enjoyment of life.~~

28 ~~(3) Punitive damages if the defendant's conduct was willful,~~
29 ~~oppressive, fraudulent, or malicious.~~

30 ~~(4) Reasonable attorney's fees and costs.~~

31 ~~(e) (1) In an action pursuant to this section, general causation~~
32 ~~may be established by expert testimony, scientific literature, or~~
33 ~~other evidence demonstrating that sexual orientation or gender~~
34 ~~identity change efforts are capable of causing the type of~~
35 ~~psychological injury or illness suffered by the plaintiff.~~

36 ~~(2) Once general causation is established, the trier of fact may~~
37 ~~infer specific causation from evidence that the plaintiff was~~
38 ~~subjected to sexual orientation or gender identity change efforts~~
39 ~~and subsequently experienced the type of psychological injury or~~
40 ~~illness that such efforts are capable of causing, unless the defendant~~

1 ~~establishes by a preponderance of the evidence that the plaintiff's~~
2 ~~injury or illness was caused solely by other factors unrelated to~~
3 ~~the sexual orientation or gender identity change efforts.~~

4 ~~(3) In determining whether sexual orientation or gender identity~~
5 ~~change efforts were a substantial factor in causing the plaintiff's~~
6 ~~injury, the trier of fact may consider the nature, duration, and~~
7 ~~intensity of the efforts, the age and vulnerability of the plaintiff at~~
8 ~~the time, the relationship between the plaintiff and the provider,~~
9 ~~the temporal relationship between the efforts and the onset or~~
10 ~~exacerbation of symptoms, and any other relevant factors.~~

11 ~~(4) The causation framework set forth in this subdivision reflects~~
12 ~~the principle that in cases involving latent injuries and scientific~~
13 ~~consensus regarding harmfulness, plaintiffs may establish causation~~
14 ~~by demonstrating that exposure to the harmful conduct was, in~~
15 ~~reasonable medical probability, a substantial factor contributing~~
16 ~~to the risk of developing the injury or illness, without requiring~~
17 ~~proof of the precise mechanism by which the harm occurred.~~

18 ~~(f) (1) In an action pursuant to this section, expert testimony~~
19 ~~regarding the general psychological effects of sexual orientation~~
20 ~~or gender identity change efforts shall be admissible to establish~~
21 ~~the types of harm such efforts are known to cause based on the~~
22 ~~scientific and clinical consensus. Expert testimony may include,~~
23 ~~but is not limited to, any of the following:~~

24 ~~(A) The scientific and clinical consensus regarding the~~
25 ~~harmfulness of sexual orientation or gender identity change efforts.~~

26 ~~(B) The types of psychological injuries commonly caused by~~
27 ~~sexual orientation or gender identity change efforts.~~

28 ~~(C) The typical latency period between sexual orientation or~~
29 ~~gender identity change efforts and the manifestation or recognition~~
30 ~~of psychological harm.~~

31 ~~(D) The reasons why survivors of sexual orientation or gender~~
32 ~~identity change efforts commonly experience delayed recognition~~
33 ~~of harm, including repression, shame, and the dynamics of the~~
34 ~~therapeutic relationship.~~

35 ~~(2) This subdivision does not limit the admissibility of other~~
36 ~~relevant expert testimony regarding causation or damages.~~

37 ~~(g) (1) This section applies to any action commenced on or~~
38 ~~after January 1, 2027.~~

39 ~~(2) Notwithstanding any other law, a claim for damages~~
40 ~~described in this section arising from conduct that occurred, in~~

1 whole or in part, on or after January 1, 2009, that has not been
2 litigated to finality and that would otherwise be barred as of
3 January 1, 2027, because the applicable statute of limitations or
4 any other time limit had expired, shall be revived. These claims
5 may be commenced within three years of January 1, 2027, or within
6 the time period specified in subdivision (b), whichever is later.

7 ~~(3) This subdivision applies to claims against any defendant~~
8 ~~described in subdivision (c).~~

9 ~~(h) This section shall not be construed to do any of the~~
10 ~~following:~~

11 ~~(1) Limit the application of any other law that extends the time~~
12 ~~for commencement of an action.~~

13 ~~(2) Limit or restrict any statutory or common law cause of action~~
14 ~~or remedy available to any person injured by sexual orientation or~~
15 ~~gender identity change efforts.~~

16 ~~(3) Create a new cause of action.~~

17 ~~(i) It is the intent of the Legislature that this section be~~
18 ~~interpreted broadly to effectuate its remedial purpose of providing~~
19 ~~civil remedies to persons harmed by sexual orientation or gender~~
20 ~~identity change efforts.~~

21 ~~(j) The provisions of this section are severable. If any provision~~
22 ~~of this section or its application is held invalid, that invalidity shall~~
23 ~~not affect other provisions or applications that can be given effect~~
24 ~~without the invalid provision or application.~~

25 *SEC. 2. Section 865 of the Business and Professions Code is*
26 *amended to read:*

27 865. For the purposes of this article, the following terms shall
28 have the following meanings:

29 (a) “Mental health provider” means a physician and surgeon
30 specializing in the practice of psychiatry, a psychologist, a
31 psychological assistant, intern, or trainee, a licensed marriage and
32 family therapist, a registered associate marriage and family
33 therapist, a marriage and family therapist trainee, a licensed
34 educational psychologist, a credentialed school psychologist, a
35 licensed clinical social worker, an associate clinical social worker,
36 a licensed professional clinical counselor, a registered associate
37 clinical counselor, a professional clinical counselor trainee, or any
38 other person designated as a mental health professional under
39 California law or regulation.

~~(b) (1) “Sexual orientation change efforts” means any practices by mental health providers that seek to change an individual’s sexual orientation. This includes efforts to change behaviors or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex.~~

~~(2) “Sexual orientation change efforts” does not include psychotherapies that: (A) provide acceptance, support, and understanding of clients or the facilitation of clients’ coping, social support, and identity exploration and development, including sexual orientation neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and (B) do not seek to change sexual orientation.~~

(b) (1) “Sexual orientation or gender identity change efforts” means any practices of a licensed mental health provider that seek to direct a patient toward a predetermined sexual orientation or gender identity outcome. Such efforts include, regardless of the direction of the intended change, either of the following:

(A) Efforts to direct a patient toward a particular sexual orientation by reducing or increasing sexual or romantic attractions or feelings toward individuals of a particular sex.

(B) Efforts to direct a patient toward a particular gender identity by altering, suppressing, or constraining the patient’s gender identity or expression.

(2) “Sexual orientation or gender identity change efforts” does not include either of the following practices:

(A) Nondirective psychotherapies that facilitate a patient’s coping, identity exploration, and self-understanding without seeking to achieve any particular outcome regarding sexual orientation or gender identity.

(B) Age-appropriate interventions to address unlawful conduct or unsafe practices that do not seek to direct the patient toward any particular sexual orientation or gender identity.

SEC. 3. Section 865.1 of the Business and Professions Code is amended to read:

~~865.1. Under no circumstances shall a~~

A mental health provider may not engage in sexual orientation or gender identity change efforts with a patient under 18 years of age.

SEC. 4. Section 865.2 of the Business and Professions Code is amended to read:

1 865.2. Any sexual orientation or gender identity change efforts
2 attempted on a patient under 18 years of age by a mental health
3 provider shall be considered unprofessional conduct and shall
4 subject ~~a~~ the mental health provider to discipline by the licensing
5 entity for that mental health provider.

6 SEC. 5. Section 340.51 is added to the Code of Civil Procedure,
7 immediately following Section 340.5, to read:

8 340.51. (a) For purposes of this section:

9 (1) "Licensed mental health provider" means any of the
10 following individuals who hold or held a valid license, certificate,
11 or registration to practice in California at the time the conduct at
12 issue occurred:

13 (A) A physician or surgeon, including one specializing in the
14 practice of psychiatry.

15 (B) A psychologist, psychological assistant, registered
16 psychologist, or psychology trainee.

17 (C) A licensed marriage and family therapist, associate
18 marriage and family therapist, or marriage and family therapist
19 trainee.

20 (D) A licensed educational psychologist.

21 (E) A credentialed school psychologist.

22 (F) A licensed clinical social worker, associate clinical social
23 worker, or clinical social worker intern.

24 (G) A licensed professional clinical counselor; associate
25 professional clinical counselor; or professional clinical counselor
26 trainee.

27 (H) Any other person licensed, certified, or registered to provide
28 mental health treatment under California law.

29 (2) "Sexual orientation or gender identity change efforts" means
30 any practices of a licensed mental health provider that seek to
31 direct a patient toward a predetermined sexual orientation or
32 gender identity outcome. Such efforts include, regardless of the
33 direction of the intended change, either of the following:

34 (A) Efforts to direct a patient toward a particular sexual
35 orientation by reducing or increasing sexual or romantic
36 attractions or feelings toward individuals of a particular sex.

37 (B) Efforts to direct a patient toward a particular gender identity
38 by altering, suppressing, or constraining the patient's gender
39 identity or expression.

1 (3) “Sexual orientation or gender identity change efforts” does
2 not include either of the following practices:

3 (A) Nondirective psychotherapies that facilitate a patient’s
4 coping, identity exploration, and self-understanding without
5 seeking to achieve any particular outcome regarding sexual
6 orientation or gender identity.

7 (B) Age-appropriate interventions to address unlawful conduct
8 or unsafe practices that do not seek to direct the patient toward
9 any particular sexual orientation or gender identity.

10 (b) In an action for recovery of damages suffered as a result of
11 sexual orientation or gender identity change efforts, the time for
12 commencement of the action shall be the later of the following:

13 (1) If the plaintiff was under 18 years of age at the time of the
14 conduct, within 22 years of the date the plaintiff attains the age of
15 majority.

16 (2) If the plaintiff was 18 years of age or older at the time of
17 the conduct, within 10 years of the date of the last treatment session
18 in which the sexual orientation or gender identity change efforts
19 occurred.

20 (3) Within five years of the date the plaintiff discovers or
21 reasonably should have discovered that psychological injury or
22 illness occurring after the conduct was caused by sexual
23 orientation or gender identity change efforts. For purposes of this
24 paragraph, all of the following apply:

25 (A) The plaintiff shall be deemed to have discovered that
26 psychological injury or illness was caused by sexual orientation
27 or gender identity change efforts when the plaintiff first knew or
28 reasonably should have known that the psychological injury or
29 illness was caused, in whole or in part, by the sexual orientation
30 or gender identity change efforts.

31 (B) The plaintiff need not have knowledge of the full extent of
32 the injury, the specific diagnosis, or that the conduct was wrongful
33 or actionable.

34 (C) Knowledge that one received treatment from a licensed
35 mental health provider, standing alone, does not constitute
36 discovery.

37 (D) The discovery period commences only when the plaintiff
38 knew or reasonably should have known that psychological injury
39 or illness generally was caused by sexual orientation or gender
40 identity change efforts. Evidence that the plaintiff was aware of

1 *one psychological symptom or condition potentially caused by*
2 *such efforts, or had made a connection between the efforts and*
3 *any specific symptom, does not establish discovery of other injuries*
4 *or the full scope of harm.*

5 *(c) This section applies to the following actions:*

6 *(1) An action against a licensed mental health provider for*
7 *damages arising from sexual orientation or gender identity change*
8 *efforts.*

9 *(2) An action against any person or entity that employed a*
10 *licensed mental health provider for damages arising from sexual*
11 *orientation or gender identity change efforts.*

12 *(3) An action against any person or entity for the negligent*
13 *hiring, supervision, or retention of a licensed mental health*
14 *provider who engaged in sexual orientation or gender identity*
15 *change efforts.*

16 *(d) In an action pursuant to this section, the plaintiff may*
17 *recover damages, including, but not limited to, all of the following:*

18 *(1) Economic damages, including medical expenses, mental*
19 *health treatment costs, lost earnings, and other pecuniary losses.*

20 *(2) Noneconomic damages, including pain and suffering,*
21 *emotional distress, and loss of enjoyment of life.*

22 *(3) Punitive damages if the defendant's conduct was willful,*
23 *oppressive, fraudulent, or malicious.*

24 *(4) Reasonable attorney's fees and costs.*

25 *(e) (1) In an action pursuant to this section, general causation*
26 *may be established by expert testimony, scientific literature, or*
27 *other evidence demonstrating that sexual orientation or gender*
28 *identity change efforts are capable of causing the type of*
29 *psychological injury or illness suffered by the plaintiff.*

30 *(2) Once general causation is established, the trier of fact may*
31 *infer specific causation from evidence that the plaintiff was*
32 *subjected to sexual orientation or gender identity change efforts*
33 *and subsequently experienced the type of psychological injury or*
34 *illness that such efforts are capable of causing, unless the*
35 *defendant establishes by a preponderance of the evidence that the*
36 *sexual orientation or gender identity change efforts were not a*
37 *substantial factor in causing the plaintiff's injury or illness.*

38 *(3) In determining whether sexual orientation or gender identity*
39 *change efforts were a substantial factor in causing the plaintiff's*
40 *injury, the trier of fact may consider the nature, duration, and*

1 *intensity of the efforts, the age and vulnerability of the plaintiff at*
2 *the time, the relationship between the plaintiff and the provider,*
3 *the temporal relationship between the efforts and the onset or*
4 *exacerbation of symptoms, and any other relevant factors.*

5 *(4) The causation framework set forth in this subdivision reflects*
6 *the principle that in cases involving latent injuries and scientific*
7 *consensus regarding harmfulness, plaintiffs may establish*
8 *causation by demonstrating that exposure to the harmful conduct*
9 *was, in reasonable medical probability, a substantial factor*
10 *contributing to the risk of developing the injury or illness, without*
11 *requiring proof of the precise mechanism by which the harm*
12 *occurred.*

13 *(f) (1) In an action pursuant to this section, expert testimony*
14 *regarding the general psychological effects of sexual orientation*
15 *or gender identity change efforts shall be admissible to establish*
16 *the types of harm such efforts are known to cause based on the*
17 *scientific and clinical consensus. Expert testimony may include,*
18 *but is not limited to, any of the following:*

19 *(A) The scientific and clinical consensus regarding the*
20 *harmfulness of sexual orientation or gender identity change efforts.*

21 *(B) The types of psychological injuries commonly caused by*
22 *sexual orientation or gender identity change efforts.*

23 *(C) The typical latency period between sexual orientation or*
24 *gender identity change efforts and the manifestation or recognition*
25 *of psychological harm.*

26 *(D) The reasons why survivors of sexual orientation or gender*
27 *identity change efforts commonly experience delayed recognition*
28 *of harm, including repression, shame, and the dynamics of the*
29 *therapeutic relationship.*

30 *(2) This subdivision does not limit the admissibility of other*
31 *relevant expert testimony regarding causation or damages.*

32 *(g) (1) This section applies to any action commenced on or*
33 *after January 1, 2027.*

34 *(2) Notwithstanding any other law, a claim for damages*
35 *described in this section arising from conduct that occurred, in*
36 *whole or in part, on or after January 1, 2009, that has not been*
37 *litigated to finality and that would otherwise be barred as of*
38 *January 1, 2027, because the applicable statute of limitations or*
39 *any other time limit had expired, shall be revived. These claims*

1 *may be commenced within three years of January 1, 2027, or within*
2 *the time period specified in subdivision (b), whichever is later.*

3 *(h) This section shall not be construed to do any of the following:*

4 *(1) Limit the application of any other law that extends the time*
5 *for commencement of an action.*

6 *(2) Limit or restrict any statutory or common law cause of action*
7 *or remedy available to any person injured by sexual orientation*
8 *or gender identity change efforts.*

9 *(3) Create a new cause of action.*

10 *(i) It is the intent of the Legislature that this section be*
11 *interpreted broadly to effectuate its remedial purpose of providing*
12 *civil remedies to persons harmed by sexual orientation or gender*
13 *identity change efforts.*

14 *(j) The provisions of this section are severable. If any provision*
15 *of this section or its application is held invalid, that invalidity shall*
16 *not affect other provisions or applications that can be given effect*
17 *without the invalid provision or application.*

18 *SEC. 6. The provisions of this act are severable. If any*
19 *provision of this act or its application is held invalid, that invalidity*
20 *shall not affect other provisions or applications that can be given*
21 *effect without the invalid provision or application.*

22
23
24 **REVISIONS:**

25 **Heading—Line 6.**
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