

119TH CONGRESS
2D SESSION

S. _____

To prohibit gender transition procedures on minors, to authorize the Secretary of Health and Human Services to impose civil penalties on persons who perform gender transition procedures on minors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARSHALL (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To prohibit gender transition procedures on minors, to authorize the Secretary of Health and Human Services to impose civil penalties on persons who perform gender transition procedures on minors, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safeguarding The
5 Overall Protection of Minors Act” or the “STOP Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) CARETAKER.—The term “caretaker” means
2 an adult, who is not a parent of a child, with whom
3 a child resides and who provides that child with the
4 care, maintenance, and supervision consistent with
5 the duties and responsibilities of a parent of the
6 child.

7 (2) DETRANSITION TREATMENT.—The term
8 “detransition treatment” means any treatment, in-
9 cluding mental health services, medical intervention,
10 or surgery, that does any of the following:

11 (A) Stops or reverses the effects of a gen-
12 der transition procedure.

13 (B) Helps an individual cope with the ef-
14 fects of a prior gender transition procedure.

15 (3) FEMALE.—The term “female”, when used
16 to refer to a natural person, means an individual
17 who naturally has, had, will have, or would have, but
18 for a congenital anomaly or intentional or uninten-
19 tional disruption, the reproductive system that at
20 some point produces, transports, and utilizes eggs
21 for fertilization.

22 (4) GENDER TRANSITION.—The term “gender
23 transition” means the process, which may be accom-
24 panied with social, legal, or physical changes—

25 (A) in which an individual—

1 (i) intentionally halts the natural de-
2 velopment of the individual's body so that
3 the body no longer corresponds to the indi-
4 vidual's sex; or

5 (ii) intentionally transforms the indi-
6 vidual's physical appearance to confirm the
7 individual's physical appearance to be of
8 the alternate sex; or

9 (B) that alters or removes sexual organs as
10 part of chemical or surgical mutilation.

11 (5) GENDER TRANSITION PROCEDURE.—

12 (A) IN GENERAL.—The term “gender tran-
13 sition procedure” means any hormonal, phar-
14 maceutical, or surgical intervention for the pur-
15 pose of gender transition, including—

16 (i) gonadotropin-releasing hormone
17 (GnRH) agonists or other puberty-blocking
18 or suppressing drugs to stop or delay nor-
19 mally timed puberty;

20 (ii) testosterone, estrogen, progester-
21 one, androgen blockers, or other sex hor-
22 mones to an individual at doses that are
23 supraphysiologic to what would normally
24 be produced endogenously in a healthy in-
25 dividual of the same age and sex;

- 1 (iii) procedures that attempt to trans-
2 form an individual's physical appearance to
3 confirm the individual's physical appear-
4 ance to be of the alternate sex, or that
5 alter or remove sexual organs as part of
6 chemical or surgical mutilation;
- 7 (iv) castration;
- 8 (v) orchiectomy;
- 9 (vi) scrotoplasty;
- 10 (vii) implantation of erection or testie-
11 ular prostheses;
- 12 (viii) vasectomy;
- 13 (ix) hysterectomy;
- 14 (x) oophorectomy;
- 15 (xi) ovariectomy;
- 16 (xii) reconstruction of the fixed part
17 of the urethra with or without a
18 metoidioplasty or a phalloplasty;
- 19 (xiii) metoidioplasty;
- 20 (xiv) penectomy;
- 21 (xv) phalloplasty;
- 22 (xvi) vaginoplasty;
- 23 (xvii) clitoroplasty
- 24 (xviii) vaginectomy;
- 25 (xix) vulvoplasty;

1 (xx) reduction thyrochondroplasty;

2 (xxi) chondrolaryngoplasty;

3 (xxii) mastectomy;

4 (xxiii) tubal ligation;

5 (xxiv) sterilization;

6 (xxv) any plastic, cosmetic, or aes-

7 thetic surgery that feminizes or

8 masculinizes the facial or other physio-

9 logical features of an individual;

10 (xxvi) any placement of chest implants

11 to create feminine breasts;

12 (xxvii) any placement of fat or artifi-

13 cial implants in the gluteal region;

14 (xxviii) augmentation mammoplasty;

15 (xxix) liposuction;

16 (xxx) lipofilling;

17 (xxxi) voice surgery;

18 (xxxii) hair reconstruction;

19 (xxxiii) pectoral implants; and

20 (xxxiv) the removal of any otherwise

21 healthy or non-diseased body part or tis-

22 sue.

23 (B) EXCLUSIONS.—The term “gender

24 transition procedure” does not include the fol-

25 lowing when furnished to an individual by a

1 health care provider with the consent of such
2 individual or, if applicable, such individual's
3 parents or legal guardian:

4 (i) Services to individuals who have
5 been diagnosed with a disorder of sex de-
6 velopment by a licensed health care pro-
7 vider operating within their scope of prac-
8 tice, including an individual with external
9 sex characteristics that are irresolvably
10 ambiguous, such as an individual born with
11 46 XX chromosomes with virilization, an
12 individual born with 46 XY chromosomes
13 with undervirilization, or an individual
14 born having both ovarian and testicular
15 tissue.

16 (ii) Services provided when a health
17 care professional has otherwise diagnosed a
18 disorder of sexual development in which
19 the health care professional has determined
20 through genetic or biochemical testing that
21 the individual does not have normal sex
22 chromosome structure, sex steroid hormone
23 production, or sex steroid hormone action
24 for a healthy individual of the same sex
25 and age.

1 (iii) The treatment of any infection,
2 injury, disease, or disorder that has been
3 caused by or exacerbated by the perform-
4 ance of gender transition procedures,
5 whether or not the gender transition proce-
6 dure was performed in accordance with
7 State and Federal law or whether or not
8 funding for the gender transition proce-
9 dure is permissible under this section.

10 (iv) Any procedure undertaken be-
11 cause the individual suffers from a physical
12 disorder, physical injury, or physical illness
13 (but not mental, behavioral, or emotional
14 distress or a mental, behavioral, or emo-
15 tional disorder) that would, as certified by
16 a health care professional, place the indi-
17 vidual in imminent danger of death or im-
18 pairment of major bodily function, unless
19 the procedure is performed, which may in-
20 clude the following:

21 (I) Traumatic bodily injuries
22 (such as fractures, organ rupture, or
23 penetrating trauma).

24 (II) Congenital structural anoma-
25 lies of major organs or systems, in-

1 including the cardiovascular, res-
2 piratory, renal, hepatic, neurological,
3 or musculoskeletal systems.

4 (III) Acute illnesses with a high
5 probability of imminent mortality.

6 (v) Any procedure to restore or recon-
7 struct the body of the individual in order
8 to correspond to the individual's sex after
9 one or more previous gender transition
10 procedures, which may include the removal
11 of a pseudo phallus or breast augmenta-
12 tion.

13 (vi) Puberty suppression or blocking
14 prescription drugs for the purpose of nor-
15 malizing puberty for a minor experiencing
16 precocious puberty.

17 (vii) Male circumcision.

18 (6) MALE.—The term “male”, when used to
19 refer to a natural person, means an individual who
20 naturally has, had, will have, or would have, but for
21 a congenital anomaly or intentional or unintentional
22 disruption, the reproductive system that at some
23 point produces, transports, and utilizes sperm for
24 fertilization.

1 (7) MINOR.—The term “minor” means an indi-
2 vidual under the age of 18.

3 (8) SECRETARY.—The term “Secretary” means
4 the Secretary of Health and Human Services.

5 (9) SEX.—The term “sex”, when referring to a
6 natural person’s sex, means the person’s immutable
7 biological classification as either male or female, as
8 biologically determined and defined by this section.

9 **SEC. 3. GENDER TRANSITION PROCEDURES ON MINORS.**

10 (a) PROHIBITION.—

11 (1) IN GENERAL.—No person may, in any cir-
12 cumstance described in paragraph (2), knowingly
13 perform, attempt to perform, conspire to perform, or
14 otherwise aid or abet the performance of any gender
15 transition procedure on a minor.

16 (2) CIRCUMSTANCES DESCRIBED.—A cir-
17 cumstance referred to in paragraph (1) is any of the
18 following:

19 (A) The person, or the minor on whom the
20 gender transition procedure was performed, at-
21 tempted to be performed, or conspired to be
22 performed or on whom the performance of any
23 gender transition procedure was aided or abet-
24 ted, traveled in interstate or foreign commerce,
25 or traveled using a means, channel, facility, or

1 instrumentality of interstate or foreign com-
2 merce, in furtherance of or in connection with
3 the conduct described in paragraph (1).

4 (B) The person, or the minor on whom the
5 gender transition procedure was performed, at-
6 tempted to be performed, or conspired to be
7 performed or on whom the performance of any
8 gender transition procedure was aided or abet-
9 ted, used a means, channel, facility, or instru-
10 mentality of interstate or foreign commerce in
11 furtherance of or in connection with the con-
12 duct described in paragraph (1).

13 (C) A payment of any kind was made, di-
14 rectly or indirectly, in furtherance of or in con-
15 nection with the conduct described in paragraph
16 (1), using any means, channel, facility, or in-
17 strumentality of interstate or foreign commerce
18 or in interstate or foreign commerce.

19 (D) The person, or the minor on whom the
20 gender transition procedure was performed, at-
21 tempted to be performed, or conspired to be
22 performed or on whom the performance of any
23 gender transition procedure was aided or abet-
24 ted, transmitted in interstate or foreign com-
25 merce any communication relating to or in fur-

1 therance of the conduct described in paragraph
2 (1) using any means, channel, facility, or in-
3 strumentality of interstate or foreign commerce
4 or in interstate or foreign commerce by any
5 means or in manner, including by computer,
6 mail, wire, or electromagnetic transmission.

7 (E) Any instrument, item, substance, or
8 other object that has traveled in interstate or
9 foreign commerce was used to perform the con-
10 duct described in paragraph (1).

11 (F) The conduct described in paragraph
12 (1) occurred within the special maritime and
13 territorial jurisdiction of the United States or
14 any territory or possession of the United States.

15 (G) The conduct described in paragraph
16 (1) otherwise occurred in interstate or foreign
17 commerce.

18 (3) KNOWINGLY.—For purposes of paragraph
19 (1), a person acts knowingly when—

20 (A) the person has actual knowledge of the
21 facts giving rise to the violation of the prohibi-
22 tion described in paragraph (1); or

23 (B) a reasonable person acting in the cir-
24 cumstances and exercising reasonable care
25 would have that knowledge.

1 (4) APPLICATION TO WORK ARRANGEMENTS.—

2 (A) IN GENERAL.—A violation of para-
3 graph (1)—

4 (i) by an employee acting in the scope
5 of their employment for an employer shall
6 also be considered a violation of such para-
7 graph by such employer; or

8 (ii) by any other individual who is en-
9 gaged by a person for the performance of
10 labor or services for remuneration and who
11 is acting in the scope of their performance
12 of such labor or services for such person
13 shall also be considered a violation of such
14 paragraph by such person.

15 (B) LIABILITY.—

16 (i) EMPLOYEE VIOLATIONS.—In the
17 case of a violation that is described in sub-
18 paragraph (A)(i), the employee and the
19 employer described in such subparagraph
20 shall be jointly and severally liable for any
21 civil penalty under subsection (b) and any
22 private right of action under subsection
23 (c).

24 (ii) OTHER WORKER VIOLATIONS.—In
25 the case of a violation that is described in

1 subparagraph (A)(ii), the individual and
2 person described in such subparagraph
3 shall be jointly and severally liable for any
4 civil penalty under subsection (b) and any
5 private right of action under subsection
6 (c).

7 (b) CIVIL MONETARY PENALTIES.—

8 (1) IN GENERAL.—The Secretary may impose a
9 civil monetary penalty on any person upon making
10 a determination, after written notice and an oppor-
11 tunity for a hearing, that the person has violated a
12 requirement of subsection (a)(1).

13 (2) AMOUNT OF CIVIL MONETARY PEN-
14 ALTIES.—

15 (A) IN GENERAL.—The amount of a civil
16 monetary penalty under paragraph (1) shall be
17 not less than \$100,000 for each violation.

18 (B) PENALTY CONSIDERATIONS.—In de-
19 termining the amount of a civil monetary pen-
20 alty under this subsection, the Secretary shall
21 consider—

22 (i) the nature, circumstances, extent,
23 and gravity of the violation; and

24 (ii) with respect to the violator, the
25 degree of culpability, any history of prior

1 violations, and any effect on the ability to
2 continue to do business.

3 (3) CIVIL ACTION TO COLLECT.—

4 (A) IN GENERAL.—The Attorney General
5 may bring a civil action in an appropriate dis-
6 trict court of the United States to collect a civil
7 monetary penalty under this subsection and any
8 accrued interest on the civil monetary penalty
9 as assessed by the Secretary. In such a civil ac-
10 tion, the amount and appropriateness of the
11 civil monetary penalty shall not be subject to
12 review.

13 (B) COMPROMISE.—The Secretary may
14 compromise the amount of a civil monetary
15 penalty imposed under this subsection before
16 referral to the Attorney General under subpara-
17 graph (A), on the condition that such amount
18 shall be not less than \$100,000.

19 (4) LIABILITY FOR PROCEDURES REQUIRED AS
20 A MATTER OF STANDARD PRACTICE.—It shall not be
21 a defense in a hearing under this subsection that
22 gender transition procedures are required as a mat-
23 ter of standard practice.

24 (5) PROHIBITION ON IMPOSITION OF CIVIL
25 MONETARY PENALTY ON A PERSON ON WHOM PRO-

1 CEDURES ARE PERFORMED.—No person on whom a
2 gender transition procedure is performed, attempted
3 to be performed, or conspired to be performed or on
4 whom the performance of any gender transition pro-
5 cedure was aided or abetted in violation of sub-
6 section (a)(1), and no parent, guardian, or caretaker
7 of such a person, may be held liable for a civil mone-
8 tary penalty under this subsection.

9 (6) DEPOSITING AMOUNTS COLLECTED.—

10 (A) IN GENERAL.—Amounts collected
11 under this subsection shall be deposited in the
12 fund established under subparagraph (B).

13 (B) ESTABLISHMENT OF FUND.—

14 (i) IN GENERAL.—There is established
15 in the Treasury of the United States a
16 fund, to be known as the “Victims of Gen-
17 der Transition Procedures Compensation
18 Fund”, which shall consist of amounts de-
19 posited in the fund pursuant to subpara-
20 graph (A).

21 (ii) AVAILABILITY OF FUNDS.—

22 Amounts in the fund established under
23 clause (i) shall be made available for ex-
24 penditure for fiscal year 2026 and each fis-
25 cal year thereafter, without further appro-

1 priation or fiscal year limitation for ex-
2 penditure by the Secretary to carry out
3 section 4.

4 (c) PRIVATE CIVIL ACTION.—

5 (1) IN GENERAL.—An individual on whom a
6 gender transition procedure is performed in violation
7 of subsection (a)(1), or the parent, guardian, or
8 caretaker of such an individual if such individual is
9 a minor, may bring a civil action in an appropriate
10 district court of the United States against any per-
11 son in violation of subsection (a)(1) for damages, in-
12 cluding damages described in paragraph (3).

13 (2) AVAILABILITY.—A cause of action described
14 in paragraph (1) shall be available regardless of
15 whether the alleged violation occurred before, on, or
16 after the date of enactment of this Act.

17 (3) DAMAGES.—Damages referred to in para-
18 graph (1) include—

19 (A) compensatory damages, including all
20 economic damages associated with undoing, cor-
21 recting, or ameliorating the effects or results of
22 any gender transition procedure;

23 (B) non-economic damages for emotional
24 distress and pain and suffering; and

1 (C) punitive damages, if the claimant
2 proves by clear and convincing evidence that the
3 defendant against whom punitive damages are
4 sought acted maliciously, intentionally, fraudu-
5 lently, or recklessly.

6 (d) PENALTY FOR OBSTRUCTION OF INVESTIGA-
7 TIONS.—

8 (1) IN GENERAL.—The Secretary may impose a
9 civil penalty on any person who obstructs or pre-
10 vents the Secretary from carrying out an investiga-
11 tion into an alleged violation of subsection (a)(1).

12 (2) DEFINITION OF OBSTRUCT.—In this sub-
13 section, the term “obstruct” means to take an action
14 that was known, or reasonably should have been
15 known, to prevent, hinder, or impede an investiga-
16 tion.

17 (e) RULES OF CONSTRUCTION.—

18 (1) IN GENERAL.—In any proceeding described
19 in subsection (b) or (c) any ambiguities shall be re-
20 solved against any person found to be in violation of
21 subsection (a)(1).

22 (2) HEALTH CARE PROFESSIONALS.—In any
23 proceeding described in subsection (b) or (c) against
24 a health care professional, if a gender transition pro-
25 cedure of a minor is shown to have occurred before

1 the date of enactment of this Act, limited deference
2 shall be given to prevailing standards of care in ef-
3 fect at such time, to the extent that such standards
4 of care contradict the intent of this Act and it is
5 shown that such health care professional knew or
6 should have known that such standards of care were
7 in serious, scientific, and medical dispute at the time
8 of the gender transition procedure.

9 (3) NO LIABILITY FOR MINORS.—Nothing in
10 this Act shall be construed to impose any liability
11 whatsoever on a minor who is the individual on
12 whom a gender transition procedure is performed,
13 attempted to be performed, or conspired to be per-
14 formed or on whom the performance of any gender
15 transition procedure was aided or abetted.

16 (f) EFFECT.—Nothing in this Act—

17 (1) establishes a private right of action based
18 on counseling, referrals to mental health profes-
19 sionals, or discussions of treatment options (includ-
20 ing counseling, referrals, or options available upon
21 reaching adulthood) provided by health care profes-
22 sionals or mental health professionals or against
23 health care professionals or mental health profes-
24 sionals based on circumstances not described in sub-
25 section (a)(2), on the condition that such actions do

1 not constitute participation in a gender transition
2 procedure;

3 (2) prohibits a health care professional or men-
4 tal health professional from providing information
5 about all available treatment options, discussing
6 risks and benefits, or expressing professional medical
7 opinions, so long as such actions do not constitute
8 participation in a gender transition procedure; or

9 (3) waives liability for a health care profes-
10 sional.

11 (g) STATUTE OF LIMITATIONS.—An action under
12 subsection (c) may be brought within 25 years from the
13 date of the eighteenth birthday of an individual on whom
14 a gender transition procedure is performed as a minor or
15 within 4 years from the time the cost of a detransition
16 treatment is incurred, whichever date is later.

17 (h) SEVERABILITY.—If any provision of this Act, or
18 the application of such provision to any person or cir-
19 cumstance, is held to be or made invalid, the remainder
20 of this Act, and the application of the provision to any
21 other person or circumstance, shall not be affected.

22 **SEC. 4. OPENING AVENUES FOR VICTIMS.**

23 (a) PURPOSE.—The purpose of this section is to sup-
24 port, encourage, and assist individuals in their efforts to
25 reverse gender transition procedures.

1 (b) ESTABLISHMENT OF GRANT PROGRAM.—The
2 Secretary shall establish a grant program under which the
3 Secretary shall award grants to eligible entities to carry
4 out the activities described in subsection (d).

5 (c) ELIGIBILITY.—

6 (1) ELIGIBLE ENTITIES.—To be eligible for a
7 grant under this section, an entity—

8 (A) shall be a private nonprofit entity;

9 (B) shall submit to the Secretary an appli-
10 cation at such time, in such manner, and con-
11 taining such information and assurances as the
12 Secretary may require, including an assurance
13 that such entity will—

14 (i) submit to the Secretary such re-
15 ports of deidentified data, information, and
16 metrics as the Secretary may require to as-
17 sess the entity's performance in carrying
18 out activities under the grant and ensure
19 the entity is in compliance with the terms
20 and conditions of such grant;

21 (ii) not charge individuals for services
22 provided through the grant; and

23 (iii) provide each individual counseled
24 through the grant with accurate informa-
25 tion on the appropriate medical procedures

1 to reverse gender transition procedures;
2 and

3 (C) shall agree to have a privacy policy
4 and procedures in place to ensure that—

5 (i) the name, address, telephone num-
6 ber, or any other information that might
7 identify any individual seeking services
8 supported through the grant is not made
9 public or shared with any other entity
10 without the written consent of the indi-
11 vidual; and

12 (ii) the grantee adheres to require-
13 ments comparable to those applicable
14 under the HIPAA privacy regulation (as
15 defined in section 1180(b)(3) of the Social
16 Security Act (42 U.S.C. 1320d-9(b)(3)))
17 to covered entities (as defined for purposes
18 of such regulation).

19 (2) INELIGIBLE ENTITIES.—An entity shall be
20 ineligible to receive a grant under this section if the
21 entity or any affiliate, subsidiary, successor, or clinic
22 thereof—

23 (A) performs, induces, refers for, or coun-
24 sels in favor of gender transition procedures;

1 (B) performs, induces, refers for, or coun-
2 sels in favor of an abortion, except—

3 (i) if the pregnancy is the result of an
4 act of rape or incest; or

5 (ii) in the case where a woman suffers
6 from a physical disorder, physical injury,
7 or physical illness, including a life-endan-
8 gering physical condition caused by or aris-
9 ing from the pregnancy itself, that would,
10 as certified by a physician, place the
11 woman in danger of death unless an abor-
12 tion is performed; or

13 (C) provides financial support to any other
14 entity that conducts any activity described in
15 subparagraph (A) or (B).

16 (d) USE OF GRANT FUNDS.—

17 (1) REQUIRED INFORMATION AND REFER-
18 RAL.—For the purpose described in subsection (a),
19 an eligible entity receiving a grant under this section
20 shall use the grant funds to provide to individuals
21 who are exploring detransition information on, and
22 referral to, 1 or more of the following services:

23 (A) Medical advice and care to reverse a
24 gender transition procedure.

1 (B) Education and employment assistance,
2 including services that support the continuation
3 and completion of high school.

4 (C) Voluntary mental health and substance
5 use disorder services.

6 (2) PERMISSIBLE DIRECT PROVISION OF SERV-
7 ICES.—For the purpose described in subsection (a),
8 in addition to using grant funds under this section
9 as described in paragraph (1), an eligible entity re-
10 ceiving a grant under this section may use the grant
11 funds for the direct provision of one or more services
12 described in paragraph (1).

13 (e) PROHIBITED USES OF FUNDS.—None of the
14 funds made available under this section shall be used for—

15 (1) gender transition procedures;

16 (2) payment for an abortion, except—

17 (A) if the pregnancy is the result of an act
18 of rape or incest; or

19 (B) in the case where a woman suffers
20 from a physical disorder, physical injury, or
21 physical illness, including a life-endangering
22 physical condition caused by or arising from the
23 pregnancy itself, that would, as certified by a
24 physician, place the woman in danger of death
25 unless an abortion is performed; or

1 (3) requiring any person to perform, or facili-
2 tate in any way the performance of, any abortion.

3 (f) CONSIDERATION.—In selecting the recipients of
4 grants under this section, the Secretary shall consider
5 each applicant’s demonstrated capacity in providing serv-
6 ices to assist individuals who are exploring and seeking
7 medical advice in their efforts to reverse gender transition
8 procedures.

9 (g) MONITORING AND REVIEW.—The Secretary
10 shall—

11 (1) monitor and review each program funded
12 through a grant under this section to ensure that
13 the grantee carefully adheres to—

14 (A) the purpose described in subsection

15 (a); and

16 (B) the requirements of this section; and

17 (2) cease to fund a program under this section
18 if the grantee fails to adhere to such purpose and re-
19 quirements.