

SENATE, No. 3076

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED SEPTEMBER 29, 2022

Sponsored by:

Senator EDWARD DURR

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Establishes “Child Protection and Anti-Mutilation Act.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the protection of children and supplementing
2 Title 45 of the Revised Statutes.

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

6

7 1. This act shall be known and may be cited as the “Child
8 Protection and Anti-Mutilation Act.”

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10 2. a. As used in this section:

11 “Minor” means any unemancipated person under the age of 18.

12 “Sex” means the biological state of being male or female, based
13 on the individual's sex organs, chromosomes, and endogenous
14 hormone profiles.

15 b. Notwithstanding the provision of any law to the contrary,
16 and except as provided in subsection c. of this section, no person
17 shall engage in with respect to, perform upon, or cause any of the
18 following practices to be performed upon, a minor:

19 (1) prescribing or administering puberty blocking medication to
20 stop or delay normal puberty;

21 (2) prescribing or administering supraphysiologic doses of
22 testosterone or other androgens to females;

23 (3) prescribing or administering supraphysiologic doses of
24 estrogen to males;

25 (4) performing surgeries that result in sterilization, including,
26 but not limited to, castration, vasectomy, hysterectomy,
27 oophorectomy, orchiectomy, and penectomy;

28 (5) performing surgeries that artificially construct tissue with
29 the appearance of genitalia that differs from the individual's sex,
30 including, but not limited to, metoidioplasty, phalloplasty, and
31 vaginoplasty; or

32 (6) removing any healthy or non-diseased body part or tissue,
33 except in the case of a male circumcision.

34 c. The provisions of subsection b. of this section shall not
35 apply to procedures undertaken to treat a minor with a medically
36 verifiable disorder of sex development, including:

37 (1) an individual with external biological sex characteristics that
38 are irresolvably ambiguous, including an individual with 46 XX
39 chromosomes with virilization, an individual with 46 XY
40 chromosomes with under virilization, or an individual having both
41 ovarian and testicular tissue; or

42 (2) an individual diagnosed by a physician with a disorder of
43 sexual development, in which the physician has determined,
44 through genetic or biochemical testing, that the person does not
45 have normal sex chromosome structure, sex steroid hormone
46 production, or sex steroid hormone action for a male or female.

47 d. A person who violates the provisions of this section shall be
48 guilty of a crime of the third degree.

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1 3. The Director of the Division of Consumer Affairs in the
2 Department of Law and Public Safety and the Commissioner of
3 Health shall each adopt rules and regulations, pursuant to the
4 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
5 seq.), as necessary to implement the provisions of this act.

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7 4. This act shall take effect immediately.

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STATEMENT

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12 This bill establishes the “Child Protection and Anti-Mutilation
13 Act.”

14 The bill prohibits any person from, with regard to an
15 unemancipated person under 18 years of age, engaging in,
16 performing, or causing to be performed the following practices:

17 1) prescribing or administering puberty blocking medication to
18 stop or delay normal puberty;

19 2) prescribing or administering supraphysiologic doses of
20 testosterone or other androgens to females;

21 3) prescribing or administering supraphysiologic doses of
22 estrogen to males;

23 4) performing surgeries that result in sterilization, including, but
24 not limited to, castration, vasectomy, hysterectomy, oophorectomy,
25 orchiectomy, and penectomy;

26 5) performing surgeries that artificially construct tissue with the
27 appearance of genitalia that differs from the individual's sex,
28 including, but not limited to, metoidioplasty, phalloplasty, and
29 vaginoplasty; or

30 6) removing any healthy or non-diseased body part or tissue,
31 except in the case of a male circumcision.

32 The restrictions established under the bill will not apply to
33 procedures undertaken to treat a minor with a medically verifiable
34 disorder of sex development, including: an individual with external
35 biological sex characteristics that are irresolvably ambiguous or an
36 individual diagnosed by a physician with a disorder of sexual
37 development, in which the physician has determined, through
38 genetic or biochemical testing, that the person does not have normal
39 sex chromosome structure, sex steroid hormone production, or sex
40 steroid hormone action for a male or female.

41 A person who violates the provisions of the bill will be guilty of
42 a crime of the third degree, which is punishable by imprisonment
43 for three to five years, a fine of up to \$15,000, or both.