State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3399/1
JPC:skw

2025 ASSEMBLY BILL 359

July 17, 2025 - Introduced by Representatives SNODGRASS, CRUZ, NEUBAUER, PHELPS, RIVERA-WAGNER, SPAUDE, STROUD, UDELL, ARNEY, CLANCY, ANDERSON, ANDRACA, BARE, BROWN, DESANTO, DESMIDT, EMERSON, FITZGERALD, HONG, JOERS, JOHNSON, MADISON, MAYADEV, MIRESSE, MOORE OMOKUNDE, PALMERI, PRADO, ROE, SHEEHAN, SUBECK, TENORIO, VINING and HAYWOOD, cosponsored by Senators CARPENTER, DASSLER-ALFHEIM, ROYS, SPREITZER, RATCLIFF, DRAKE, HABUSH SINYKIN, HESSELBEIN, L. JOHNSON, KEYESKI, LARSON, PFAFF, SMITH, WALL and WIRCH. Referred to Committee on Health, Aging and Long-Term Care.

AUTHORS SUBJECT TO CHANGE

AN ACT ***to amend*** 448.02 (9) (intro.); ***to create*** 51.608, 448.02 (3m), 455.09 (1m) and 457.26 (1m) of the statutes; **relating to:** prohibiting conversion therapy.

Analysis by the Legislative Reference Bureau

This bill prohibits certain mental health providers from engaging in conversion therapy with a minor. Conversion therapy is defined under the bill to mean any intervention or method that has the purpose of attempting to change a person's sexual orientation or gender identity, including any intervention or method that attempts to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender. However, under the bill, conversion therapy does not include counseling that assists an individual who is seeking to undergo a gender transition or who is in the process of undergoing a gender transition; counseling that provides a client with acceptance, support, or understanding; counseling that facilitates a client's coping, social support, and identity exploration or development; or counseling in the form of sexual orientation-neutral or gender identity-neutral interventions provided for the purpose of preventing or addressing unlawful conduct or unsafe sexual practices, but only if the counseling is not provided for the purpose of attempting to change the client's sexual orientation or gender identity.

Under the bill, the Medical Examining Board, the Psychology Examining Board, and the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board are required to investigate any allegation that any person

licensed, certified, or otherwise authorized to practice by the respective boards has violated the prohibition on performing conversion therapy. Upon a finding that the holder of a license, certificate, or other authorization has violated the prohibition on performing conversion therapy, the bill requires the applicable examining board to limit, suspend, or revoke the person's license, certificate, or other authorization, or any combination of the three.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 51.608 of the statutes is created to read:

51.608 Conversion therapy prohibited. (1) DEFINITIONS. In this section:

(a) 1. "Conversion therapy" means any intervention or method that has the purpose of attempting to change an individual's sexual orientation or gender identity, including any intervention or method that attempts to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender.

2. "Conversion therapy" does not include counseling that assists an individual who is seeking to undergo a gender transition or who is in the process of undergoing a gender transition, counseling that provides an individual with acceptance, support, or understanding, or counseling that facilitates an individual's coping, social support, and identity exploration or development. "Conversion therapy" does not include counseling in the form of sexual orientation-neutral or gender identity-neutral interventions provided for the purpose of preventing or addressing unlawful conduct or unsafe sexual practices, but only if the counseling is not provided for the purpose of attempting to change the individual's sexual orientation or gender identity.

(b) "Mental health provider" means any of the following:

1. A physician licensed under ch. 448.

2. A psychologist licensed under ch. 455.

3. A marriage and family therapist licensed under s. 457.10 or 457.11.

4. A professional counselor licensed under s. 457.12 or 457.13.

5. Any social worker who holds a license or certificate granted under ch. 457.

6. A person who is practicing under a valid training or temporary license or certificate granted under ch. 457.

7. A student, intern, volunteer, or other person assisting or acting under the direction of an individual described in subds. 1. to 6.

(2) CONVERSION THERAPY PROHIBITED. No mental health provider may engage in conversion therapy with an individual who is under 18 years of age.

SECTION 2. 448.02 (3m) of the statutes is created to read:

448.02 **(3m)** INVESTIGATION; HEARING; ACTION FOR PROHIBITED CONVERSION THERAPY. Notwithstanding sub. (3):

(a) The board shall investigate allegations that any person holding a license or certificate granted by the board has violated s. 51.608 (2). After an investigation, if the board finds that there is probable cause to believe that the person violated s. 51.608 (2), the board shall hold a hearing on such conduct. The board shall render a decision within 60 days after the date on which the hearing is held.

(b) After a hearing under par. (a), if the board determines that the person has violated s. 51.608 (2), the board shall do one or more of the following:

1. Limit the person's license or certificate.

2. Suspend the person's license or certificate.

3. Revoke the person's license or certificate.

(c) The board may condition the removal of limitations on a license or certificate imposed under this subsection or the restoration of a license that was suspended or revoked under this subsection upon obtaining minimum results specified by the board on a professional competency examination if the board believes that obtaining the minimum results is related to correcting the basis upon which the limitation, suspension, or revocation was imposed.

(d) A person whose license or certificate is limited under this subsection shall be permitted to continue to practice upon the condition that the person will refrain from engaging in unprofessional conduct; that the person will occasionally appear before the board or its officers or agents at such times and places as may be designated by the board; that the person will fully disclose to the board or its officers or agents the nature of the person's practice and conduct; that the person will fully comply with the limits placed on his or her practice and conduct by the board; that the person will obtain additional training, education, or supervision required by the board; and that the person will cooperate with the board.

(e) Unless a license or certificate that is suspended under this subsection is revoked during the period of suspension, upon the expiration of the period of suspension, the license or certificate shall again become operative and effective. However, the board may require the holder of any such suspended license or certificate to pass any examination required for the original grant of the license or certificate before allowing such suspended license or certificate again to become operative and effective.

(f) The board shall comply with rules of procedure for the investigation, hearing, and action under this subsection that are promulgated under ss. 440.03 (1) and 448.40.

SECTION 3. 448.02 (9) (intro.) of the statutes is amended to read:

448.02 **(9)** JUDICIAL REVIEW. (intro.) No injunction, temporary injunction, stay, restraining order or other order may be issued by a court in any proceeding for review that suspends or stays an order of the board to discipline a physician under sub. (3) (c) or (3m) (b) or to suspend or limit a physician's license under sub. (4), except upon application to the court and a determination by the court that all of the following conditions are met:

SECTION 4. 455.09 (1m) of the statutes is created to read:

455.09 **(1m)** Notwithstanding sub. (1), and subject to the rules promulgated under s. 440.03 (1), upon a finding that a licensee, a holder of authority to practice interjurisdictional telepsychology, or a holder of temporary authorization to practice has violated s. 51.608 (2), the examining board shall do one or more of the following:

(a) Limit the person's license or authorization.

(b) Suspend the person's license or authorization.

(c) Revoke the person's license or authorization.

SECTION 5. 457.26 (1m) of the statutes is created to read:

457.26 **(1m)** Notwithstanding sub. (1), and subject to the rules promulgated under s. 440.03 (1), the appropriate section of the examining board shall investigate any allegation that a credential holder has violated s. 51.608 (2). After an

investigation, if the appropriate section of the examining board determines that there is probable cause to believe that the credential holder has violated s. 51.608 (2), the appropriate section of the examining board shall conduct a hearing on such conduct. If, after a hearing, the appropriate section of the examining board finds that the credential holder has violated s. 51.608 (2), the appropriate section of the examining board shall do one or more of the following:

(a) Limit the person's credential.

(b) Suspend the person's credential.

(c) Revoke the person's credential.

(END)