

**South Carolina General Assembly**  
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**S. 243**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Kimbrell and Adams

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Gender reassignment

**HISTORY OF LEGISLATIVE ACTIONS**

Date	Body	Action Description with journal page number
11/30/2022	Senate	Prefiled
11/30/2022	Senate	Referred to Committee on <b>Medical Affairs</b>
1/10/2023	Senate	Introduced and read first time (Senate Journalpage 124)
1/10/2023	Senate	Referred to Committee on <b>Medical Affairs</b> (Senate Journalpage 124)

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## **A BILL**

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-47-205, RELATING TO GENERAL PROVISIONS CONCERNING PHYSICIANS, SO AS TO PROHIBIT PHYSICIANS FROM PERFORMING GENDER REASSIGNMENT SURGERY ON MINORS, AND TO PROHIBIT PHYSICIANS FROM PRESCRIBING OR ADMINISTERING CERTAIN SUBSTANCES FOR THE PURPOSE OF ATTEMPTING TO ALTER THE APPEARANCE OF OR AFFIRM THE MINOR'S PERCEPTION OF HIS GENDER IF THAT APPEARANCE OR PERCEPTION IS INCONSISTENT WITH THE MINOR'S BIOLOGICAL SEX.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 47, Title 40 of the S.C. Code is amended by adding:

Section 4047205. (A) For the purposes of this section:

(1) "Biological sex" means the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.

(2) "Gender" means the psychological, behavioral, social, and cultural aspects of being male or female.

(3) "Gender transition" means the process in which a person goes from identifying with and living as a gender that corresponds to the person's biological sex to identifying with and living as a gender different from the person's biological sex and may involve social, legal, or physical changes.

(4) "Irreversible gender reassignment surgery" means a medical procedure performed for the purpose of assisting an individual with a gender transition, including, but not limited to:

(a) penectomy, orchiectomy, vaginoplasty, clitoroplasty, or vulvoplasty for biologically male patients or hysterectomy or ovariectomy for biologically female patients;

(b) metoidioplasty, phalloplasty, vaginectomy, scrotoplasty, or implantation of erection or testicular prostheses for biologically female patients; and

(c) augmentation mammoplasty for biologically male patients and subcutaneous mastectomy for female patients.

(B) A physician may not provide irreversible reassignment surgery to a minor.

(C) A physician may not prescribe or administer puberty blocking medication to stop or delay normal puberty, supraphysiologic doses of testosterone or other androgens to females, or supraphysiologic doses of estrogen to males for the purpose of attempting to alter the appearance of

or affirm the minor's perception of his gender if that appearance or perception is inconsistent with the minor's biological sex.

(D) A physician may provide to a minor:

(1) services to a minor born with a medically verifiable disorder of sex development, including, but not limited to, an individual with external biological sex characteristics that are irresolvably ambiguous;

(2) services provided when a physician has otherwise diagnosed a disorder of sexual development and has determined through genetic or biochemical testing that the individual does not have normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action;

(3) treatment for an infection, injury, disease, or disorder that has been caused or exacerbated by the performance of a gender transition procedure, whether or not the gender transition procedure was performed in accordance with state or federal law; and

(4) any procedure undertaken because the minor suffers from a physical disorder, physical injury, or physical illness that would place the individual in imminent danger of death or the impairment of a major bodily function unless surgery is performed.

SECTION 2. This act takes effect upon approval by the Governor.

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