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SB-934 Sexual orientation or gender identity change efforts. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

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, 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 340.51 to the Code of Civil Procedure,~~ relating to sexual orientation or gender identity change efforts.

LEGISLATIVE COUNSEL'S DIGEST

SB 934, as amended, Wiener. Sexual orientation or gender identity change efforts.

~~(1)Existing~~

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 and must subject the mental health provider to discipline by 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~~ *seek, during the provision of mental health services,* to direct a patient toward a

predetermined sexual orientation or gender identity, as specified, and would apply the prohibitions described above to such efforts. *The bill would exclude specified practices, including age-appropriate interventions to address unlawful conduct or unsafe practices that do not seek to direct the patient toward a particular sexual orientation or gender identity, from this definition.*

~~(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 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: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares:

(a) The American Psychological Association, the American Psychiatric Association, the American Academy of Pediatrics, the American Medical Association, the American Counseling Association, the American Academy of Child and Adolescent Psychiatry, the American School Counselor Association, the National Association of Social Workers, and every other mainstream mental health and medical organization in the United States have determined that efforts to change an individual's sexual orientation or gender ~~identity~~ *identity, which is a person's internal understanding of their gender*, are harmful and ineffective.

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

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

(c) In 2021, the American Psychological Association (APA) adopted resolutions on sexual orientation change efforts (SOCE) and gender identity change efforts (GICE) concluding that SOCE and GICE are harmful and ineffective and calling for their elimination. The APA stated that "consistent with the APA definition of evidence-based practice, the APA affirms that scientific evidence and clinical experience indicate that SOCE put individuals at significant risk of harm." The APA also stated that "consistent with the APA definition of evidence-based practice, the APA affirms that scientific evidence and clinical experience indicate that GICE put individuals at significant risk of harm."

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

(e) In 2023, the United States Joint Statement (USJS) Against Conversion Efforts was ratified. The USJS is a consensus statement of 28 professional medical and mental health associations. Signatories to the USJS include

the American Academy of Child and Adolescent Psychiatry, American Academy of Family Physicians, American Academy of Nursing, American Academy of Pediatrics, American Association for Marriage and Family Therapy, American College of Physicians, American Counseling Association, American Medical Association, American Psychiatric Association, American Psychoanalytic Association, American Psychological Association, Clinical Social Work Association, and National Association of Social Workers, among others. The USJS states that "[d]ecades of research findings and clinical expertise have revealed that variations in sexual orientation and gender identity are a normal part of human development across race, ethnicity, and socioeconomic status" and that "[r]esearch and experience shared by scholars, clinicians, and patients have shown conversion efforts have not changed sexual orientation or gender identity or expression and are harmful."

(e)

(f) The World Professional Association for Transgender Health, the American Medical Association, and the American Psychological Association recognize that ~~gender identity~~ *being transgender* is not a disorder and that efforts to change an individual's gender identity are harmful.

(f)

(g) The scientific and clinical consensus establishes that sexual orientation or gender identity change efforts pose serious risks of harm to patients, including depression, guilt, helplessness, 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)

(h) 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 regarding the harmfulness of such efforts and the latent nature of the resulting psychological injuries.~~

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

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

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

(a) "Mental health provider" means a physician and surgeon specializing in the practice of psychiatry, a psychologist, a psychological assistant, intern, or trainee, a licensed marriage and family therapist, a registered associate marriage and family therapist, a marriage and family therapist trainee, a licensed educational

psychologist, a credentialed school psychologist, a licensed clinical social worker, an associate clinical social worker, *a clinical social work intern*, a licensed professional clinical counselor, a registered associate clinical counselor, a professional clinical counselor trainee, or any other person designated as a mental health professional under California law or regulation.

(b) (1) "Sexual orientation or gender identity change efforts" means any practices of a licensed mental health provider that ~~seek~~ *seek, during the provision of mental health services*, 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~~ *suppressing* or constraining the patient's gender identity or expression.

(2) "Sexual orientation or gender identity change efforts" does not include ~~either~~ *any* 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.

(C) Counseling, psychotherapy, or other supportive services, provided in a manner consistent with the applicable standards of care, that respects the gender identity of the patient, as experienced and defined by the patient.

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

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

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

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

~~SEC. 5. Section 340.51 is added to the Code of Civil Procedure, immediately following Section 340.5, to read:~~
~~340.51.(a) For purposes of this section:~~

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

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

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

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

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

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

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

~~(G)A licensed professional clinical counselor, associate professional clinical counselor, or professional clinical counselor trainee:~~

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

~~(2)"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:~~

~~(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:~~

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

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

~~(c)This section applies to the following actions:~~

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

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

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

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

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

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

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

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

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

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

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

~~(4)The causation framework set forth in this subdivision reflects the principle that in cases involving latent injuries and scientific consensus regarding harmfulness, 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.~~

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

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

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

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

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

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

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

~~(2)Notwithstanding any other law, a claim for damages described in this section arising from conduct that occurred, in whole or in part, on or after January 1, 2009, that has 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, shall be revived. These claims may be commenced within three years of January 1, 2027, or within the time period specified in subdivision (b), whichever is later.~~

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

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

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

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

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

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

SEC. 6.~~SEC. 5.~~ The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.