2005 ASSEMBLY BILL 184

March 10, 2005 – Introduced by Representatives Suder, Gundrum, Gronemus, Musser, Lothian, LeMahieu, Kleefisch, Montgomery, Pettis, Nischke, Kestell, Nass, Hines, Kerkman, Bies, Vos, Petrowski, Honadel, Wood, Strachota, Jeskewitz, F. Lasee, Vrakas, Albers, Ballweg, Hahn, Kreibich, Moulton, Ott, Kaufert, Mursau, Van Roy, Gunderson and Nerison, cosponsored by Senators Kanavas, Zien, Olsen, A. Lasee, Reynolds, Cowles, Lazich, Brown, Leibham, S. Fitzgerald, Darling, Grothman, Roessler and Stepp. Referred to Committee on Criminal Justice and Homeland Security.

AN ACT *to create* 302.386 (5m) of the statutes; **relating to:** a prohibition against using state funds or resources or federal funds to provide or to facilitate the provision of hormonal therapy or sexual reassignment surgery to alter the appearance of a prisoner or forensic patient so that the prisoner or forensic patient appears more like the opposite gender.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Corrections (DOC) provides medical services for residents housed in state prisons and forensic patients housed in state institutions. This bill prohibits DOC from using state funds or resources or federal funds passing through the state treasury to provide or to facilitate the provision of hormonal therapy or sexual reassignment surgery for such a resident or patient. The bill defines "hormonal therapy" as the use of hormones to stimulate the development or alteration of a person's sexual characteristics in order to alter the person's physical appearance so that the person appears more like the opposite gender, and "sexual reassignment surgery" as surgical procedures to alter a person's physical appearance so that the person appears more like the opposite gender.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

- **SECTION 1.** 302.386 (5m) of the statutes is created to read:
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302.386 **(5m)** (a) In this subsection:

1. "Hormonal therapy" means the use of hormones to stimulate the development or alteration of a person's sexual characteristics in order to alter the person's physical appearance so that the person appears more like the opposite gender.

- 7 2. "Sexual reassignment surgery" means surgical procedures to alter a person's
 8 physical appearance so that the person appears more like the opposite gender.
- 9 (b) The department may not authorize the payment of any funds or the use of 10 any resources of this state or the payment of any federal funds passing through the 11 state treasury to provide or to facilitate the provision of hormonal therapy or sexual 12 reassignment surgery for a resident or patient specified in sub. (1).
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SECTION 2. Initial applicability.

(1) PROVISION OF HORMONAL THERAPY OR SEXUAL REASSIGNMENT SURGERY. This act
first applies to hormonal therapy, as defined in section 302.386 (5m) (a) 1. of the
statutes, as created by this act, or sexual reassignment surgery, as defined in section
302.386 (5m) (a) 2. of the statutes, as created by this act, provided on the effective
date of this subsection.

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(END)