

FIFTY-SIXTH LEGISLATURE
FIRST SESSION

February 21, 2023

HOUSE FLOOR AMENDMENT number _____ to HOUSE BILL 7, as amended

Amendment sponsored by Representative Rod Montoya

1. On page 1, line 13, after "RELIEF", insert "; REQUIRING PARENTAL CONSENT FOR MINORS SEEKING GENDER-AFFIRMING HEALTH CARE OR ABORTION CARE".

2. On page 5, between lines 8 and 9, insert the following new section:

"SECTION 6. A new section of Chapter 24 NMSA 1978 is enacted to read:

"[NEW MATERIAL] REQUIRING PARENTAL CONSENT FOR THE PROVISION OF GENDER-AFFIRMING HEALTH CARE OR ABORTION CARE TO MINORS.--

A. Any health care provider that provides gender-affirming health care or abortion care to a minor shall first obtain informed written consent that has been signed by:

(1) both of the minor's parents;

(2) one of the minor's parents if the other parent is dead, unknown, found by a court to be mentally incompetent or has had parental rights terminated; or

(3) the person or persons who have legal custody of the minor if both of the minor's parents are dead, unknown, found by a court to be mentally incompetent or have had their parental rights terminated.

B. For the purposes of this section:

(1) "health care provider" means any licensed

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professional in the health care industry that provides services to patients;

(2) "legal custody" means a legal status that vests in a person, department or agency the rights and obligations that would otherwise vest by law in a parent; and

(3) "minor" means any person who has not reached eighteen years of age and has not been emancipated pursuant to the Emancipation of Minors Act."".

3. Renumber the succeeding section accordingly.

Rod Montoya

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____