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Testimony, S.240, South Carolina Parental Rights to Affirm Biological Sex in Child Welfare and Placement Act

This bill gives parents the right to compel children to align with their biological sex as recorded at birth based on physical anatomy and genetic composition, without this being regarded as a negative factor in child custody, welfare, abuse, neglect, or foster care placement.

The League of Women Voters of the United States has said that:¹

In the past couple of years we have seen unprecedented numbers of legislative attacks on the rights of lesbian, gay, bisexual, transgender, queer, intersex, asexual, and other sexual and gender minority (LGBTQIA+) individuals, particularly transgender (trans) and non-binary youth. These attacks, accompanied and "justified" by false and pathologizing narratives about LGBTQIA+ people, have devastating consequences for the community's physical and psychological well-being.

This bill is another such attack. It does not protect the right of parents to make decisions they regard as best for their child. Many families assess what is best for a child with gender dysphoria and work with them and with qualified medical professionals to assist them in transitioning to more authentic lives. This bill does not respect the rights of those parents. Instead, it protects only those who choose to do what supporters of this bill prefer, opting to offer legal protection only to those who reject their child's wish to transition. As many affected families and medical professionals have testified before subcommittees of this body in recent years, this risks severe depression and even suicidal thoughts and behavior for these children.

S.240 exposes children with gender dysphoria to great harm as decisions about custody and care are tilted towards those who deny these children psychological and medical help and acknowledgement of their deeply held understanding of their personal identity.

We ask that you not forward this bill with a favorable recommendation.

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¹ Rebecca Goldman. Last Updated July 2024. "Anti-LGBTQIA+ State Legislative Trends."
<https://www.lwv.org/blog/anti-lgbtqia-state-legislative-trends>.