



# THE VULNERABLE YOUTH PROTECTION ACT

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## NEW TOOLS TO BREAK THE SCHOOL-TO-CLINIC PIPELINE

Vulnerable Texas children and children around the country are being groomed for a lifetime of preventable suffering. Transgender medical procedures—euphemistically referred to as “gender-affirming care”—include puberty blockers, cross-sex hormones, and sex-change surgeries. These procedures are associated with a host of [harmful side effects](#). For example:

- Hormonal interventions cause reduced bone density, stunted growth, infertility, blood clots, [sterilization, and cancer](#).
- Surgical interventions are permanently debilitating and often result in [ghastly complications](#).

Texas is among the [26 states](#) to have enacted laws to protect minor children from these barbaric procedures. Such laws are unquestionably necessary; unfortunately, they are not *sufficient*. A truly comprehensive strategy for protecting children must also address the factors that drive demand for these procedures.

Fortunately, Texas lawmakers are seeking to close this gap. House Bill [\(HB\) 2258](#), the Vulnerable Youth Protection Act, would extend a private right of action for individuals who suffered “castration, sterilization, or mutilation” (medical transitioning) as children to sue their victimizers for monetary damages. Critically, this right of action would extend to those who contributed to minor-aged victims’ social transitioning, which the bill defines as including changes to “clothing, pronouns, hairstyle, and name.” HB 2258 would hold medical, mental health, and other professionals accountable for contributing to the suffering and mutilation of children under their professional care.

### KEY PROVISIONS

HB 2258 adopts a proven strategy pioneered by pro-life Texas lawmakers (see: [Texas Heartbeat Act](#)). This approach strongly disincentivizes harmful practices while minimizing involvement from state and local government officials. Key provisions include the following:

- ★ Individuals who “cause or contribute to” the social or medical transitioning of a minor would be held liable to the child and the child’s parents for any resulting personal injuries or harm.
- ★ This liability would include:
  - Nominal damages
  - Compensatory damages
  - Statutory damages of at least \$10,000 per defendant
  - Punitive damages of at least \$10,000,000 per defendant in the case of “irreversible sterilization or sexual dysfunction”
  - Costs and reasonable attorney’s fees.
- ★ Injured parties would have 20 years following the date of the actions in question to sue for damages.

### PREEMPTING LEGAL CHALLENGES

HB 2258 is carefully crafted to survive legal challenges. Specifically, the bill:

- ★ Does NOT infringe on the First Amendment. It explicitly states that “no person may be held liable... for speech or conduct protected by the First Amendment to the United States Constitution...”



- ★ EXCLUDES, as a category of defense, claims that minor-aged victims/patients consented to the conduct in question.
- ★ INCLUDES robust severability clauses to survive legal challenges.
- ★ Does NOT encourage frivolous lawsuits. The scope of HB 2258 is limited to a narrow category of highly irresponsible medical procedures.

### SUMMARY

HB 2258 represents a “game changer” in the fight to protect children from harmful and irreversible transgender medical procedures. Adults must be held accountable for funneling minor-aged children into barbaric procedures to which they cannot consent. This includes adults who contribute to a child’s social transition in their professional capacities. Passing the Vulnerable Youth Protection Act would safeguard the health and well-being of Texas children and position Texas as a national leader in the battle to protect America’s children.

