

TEXAS HOUSE OF REPRESENTATIVES



STEVE TOTH

Executive Summary: House Bill 2258 – The Vulnerable Youth Protection Act

House Bill 2258 (HB 2258), known as The Vulnerable Youth Protection Act, establishes a private right of action for individuals who, as minors, suffered castration, sterilization, or mutilation. It allows them to sue those responsible—including medical and mental health professionals, educators, and others who contributed to their social or medical transitioning. Liability extends beyond medical procedures to include social transitioning actions, such as encouraging minors to change their clothing, pronouns, hairstyle, or name.

Key Provisions

HB 2258 follows the Texas Heartbeat Act model, using civil liability to deter harmful practices while limiting government involvement:

Liability for Those Who Facilitate Transitioning:

- Applies to medical professionals and non-medical individuals involved in social or medical transitioning.
- Parents may also sue on behalf of their child.

Available Damages:

- Nominal and compensatory damages for injuries suffered.
- Statutory damages of at least \$10,000 per defendant.
- Punitive damages of at least \$10 million per defendant in cases involving irreversible sterilization or sexual dysfunction.
- Reimbursement for attorney's fees and legal costs.

Extended Statute of Limitations:

- Victims have 20 years from the date of the alleged harm to bring a lawsuit.

Legal Defensibility & Protections

HB 2258 is designed to withstand legal challenges and ensure enforceability:

Does Not Violate the First Amendment:

- No liability for speech or conduct protected by the U.S. Constitution.

Excludes Consent as a Defense:

- A minor's consent to transitioning is not a valid legal defense.

Severability Clause:

- If any part of the bill is struck down, the remaining provisions remain in effect.

HB 2258 protects children from irreversible harm by holding adults accountable for promoting or facilitating gender transition in minors. By imposing strict civil penalties and broad liability, the bill deters these actions while empowering victims to seek justice. If passed, Texas will lead the nation in safeguarding vulnerable youth.



HB 2258

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