

The Honorable Scott Wiener
1021 O Street, Suite 8620
Sacramento, CA 95814
senator.wiener@senate.ca.gov

Dear Assemblyman Senator Wiener:

On behalf of the California Family Council, we write to express our strong opposition to SB 934. This bill represents a significant and troubling expansion of government overreach into the deeply personal and constitutionally protected space of counseling, speech, and individual conscience.

SB 934 would make it far easier to sue licensed mental health providers years—even decades—after counseling has taken place, based on later claims of “psychological injury or illness” tied to sexual orientation or gender identity change efforts. For minors, lawsuits could be brought up to 22 years after reaching adulthood. For adults, claims could be filed up to 10 years after counseling, with an additional five-year “discovery” window based on when an individual believes harm was realized.

This extraordinary expansion of liability creates profound uncertainty for counselors and will inevitably have a chilling effect on the entire profession. Few practitioners will be willing to provide care in an environment where they may face litigation decades after the fact. Moreover, SB 934 defines prohibited counseling in sweeping and vague terms. It applies to any effort to guide a client toward a “predetermined sexual orientation or gender identity outcome.” This includes helping individuals who voluntarily seek counseling to live in alignment with their faith, pursue opposite-sex relationships, strengthen their marriages, or accept their biological sex. In doing so, the bill does not target coercion or abuse—which are already illegal—but instead targets consensual, client-directed conversations grounded in personal values and religious beliefs.

Equally concerning is the bill’s expansive and subjective definition of “harm.” SB 934 lists a wide range of experiences such as depression, guilt, shame, stress, anger, social withdrawal, loss of faith, family alienation, and even a sense of wasted time. While these struggles are real and deserve compassion, they are also common human experiences with complex and often unrelated causes. Under this bill, nearly any form of emotional distress could later be attributed to counseling, regardless of other contributing factors.

Critically, SB 934 does not require a formal diagnosis or clear proof of causation. A plaintiff need not demonstrate that the counseling was wrongful at the time, nor even fully understand the alleged harm. Instead, once general evidence suggests that such counseling could cause harm, courts may infer causation simply because counseling occurred and distress was later experienced—unless the counselor can prove otherwise. This effectively reverses the burden of proof and opens the door to lawsuits based largely on subjective, retrospective interpretations of emotional pain.

From a policy standpoint, SB 934 undermines three foundational principles that California should uphold:

First, free speech. Counseling is fundamentally a form of speech. The government should not dictate which viewpoints are permissible in private conversations between a counselor and a willing client. SB 934 targets specific viewpoints—particularly those rooted in traditional, faith-based understandings of sexuality and identity—raising serious First Amendment concerns.

Second, individual autonomy. Every Californian should have the freedom to seek counseling aligned with their personal goals, values, and beliefs. SB 934 denies that freedom by effectively prohibiting one category of desired outcomes while allowing others. This is not neutrality—it is ideological coercion.

Third, parental rights and family integrity. Many families seek counseling to help children navigate identity questions in a way consistent with their faith and convictions. By deterring counselors from offering this support, SB 934 places the state between parents and their children at one of the most sensitive moments in their lives.

As an organization committed to advancing God’s design for life, family, and liberty, we believe that true compassion respects both truth and freedom. Scripture reminds us, “You will know the truth, and the truth will set you free” (John 8:32, ESV). SB 934 moves California in the opposite direction—away from freedom, and toward compelled conformity.

For these reasons, we respectfully urge you to vote NO on SB 934.

Respectfully,

A handwritten signature in black ink, appearing to read "Greg Burt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Greg Burt
Vice President
California Family Council