### HB195 ENGROSSED



- 1 HB195
- 2 4J94I3R-2
- 3 By Representative DuBose
- 4 RFD: Education Policy
- 5 First Read: 20-Feb-24



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to sex education in public K-12 schools; to
10	amend Section 16-40A-2, Code of Alabama 1975, to require sex
11	education and human reproductive system curriculum and
12	programs to teach sexual risk avoidance and encourage
13	abstinence from sexual activity; to prohibit the promotion of
14	abortions or any sexual activity in sex education or human
15	reproductive systems curriculum; to prohibit demonstrations of
16	contraceptives in sex education or in human reproductive
17	systems curriculum; to authorize parents or guardians to opt
18	their child out of sexual education or human reproductive
19	system curriculum or programs; and to authorize the Attorney
20	General to enforce.
21	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
22	Section 1. Section 16-40A-2, Code of Alabama 1975, is
23	amended to read as follows:
24	"§16-40A-2
25	(a) Any program or curriculum in the public schools in
26	Alabama that includes sex education or the human reproductive
27	process shall teach sexual risk avoidance content and, at a
28	minimum, include and emphasize each of the following:



- (1) Abstinence from—sex\_all sexual activity is the only

  completely 100 percent effective—protection against way to

  prevent unintended pregnancy, sexually transmitted diseases

  and infections, and human immunodeficiency virus (HIV) when

  transmitted sexually.
- 34 (2) Abstinence from sex all sexual activity outside of
  35 marriage is the expected social standard best health practice
  36 for unmarried school-age persons individuals.

- (3) The advantages of avoiding sexual activity and the potential physical and emotional negative outcomes associated with youth and teen sexual activity.
  - (b) For the purposes of this section, sexual risk avoidance refers to a primary prevention approach to sex education that seeks to achieve the most favorable health outcomes for all Alabama youth by providing information and skills needed to achieve the benefits of avoiding sexual activity.
- (c) Course materials and instruction that relate to sexual health education or sexually transmitted diseases and infections shall be age-appropriate and medically accurate.

  For purposes of this section, the term "age-appropriate" means topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.
  - (c) (d) Course materials and instruction that relate to sexual health education or sexually transmitted diseases and infections, if available, shall include all of the following



57 elements:

- (1) An emphasis on sexual abstinence as the only completely reliable method of avoiding unintended teenage pregnancy and sexually transmitted diseases and infections.
- (2) The emphasis shall be on the importance of delaying sexual activity by and discouraging risky sexual behavior, providing skills to avoid sexual risk, and developing awareness among students of how sexual activity can impact the whole person, including physical, social, emotional, psychological, economic, and educational life outcomes.
- medical information that indicate the degree of reliability and unreliability real life usage regarding the efficacy and limitations of various forms of contraception among the youth population, while also emphasizing the increase in protection against pregnancy and protection against sexually transmitted infections, including HIV infection, which is afforded by the use of various contraceptive measures, provided that the content: (i) is aligned with the exclusive message of sexual risk avoidance; (ii) does not encourage or promote sexual behavior among youth and teens; and (iii) is presented in the context that while contraception may reduce the risk of pregnancy and contracting sexually transmitted infections, including HIV, it does not eliminate the risk.
- (4) <u>Information Accurate and current information</u> concerning the laws relating to <u>all of the following:</u>
- 83 <u>a. The the financial responsibilities impact</u> associated 84 with pregnancy, childbirth, and child rearing.



85	b. Abortion, including medically accurate information
86	regarding the procedure and risks associated with the
87	procedure, and the abortion law in Alabama.
88	c. The process of domestic infant adoption, including
89	the availability of relevant resources.
90	d. The process for surrendering a newborn infant
91	pursuant to Chapter 25 of Title 26.
92	(5) Information concerning the laws prohibiting sexual
93	abuse, the need to report such abuse to a parent, guardian, or
94	law enforcement, and the legal options available to victims of
95	sexual abuse.
96	(6) Information on how to identify and avoid unhealthy
97	relationships, including factors predictive of physical,
98	emotional, or sexual abuse and exploitation, coercion, or
99	assault, and how to cope with and rebuff unwanted physical and
100	verbal sexual exploitation by other <u>persons</u> individuals.
101	(7) - Psychologically sound methods Knowledge and skills
102	to of resisting resist unwanted peer pressure and avoid
103	cyberbullying, sexting, pornography, and online sexual
104	predators, and the potential legal implications of
105	participating in any of the preceding activities.
106	(8) Comprehensive instruction in all of the following:
107	a. Parenting parenting skills and responsibilities,
108	including the benefits of a child being raised by both
109	parents, the responsibility to pay child support by $\underline{a}$
110	non-custodial parent or parents, the penalties for non-payment
111	of child support, and the legal and ethical responsibilities

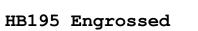
112 of child care and child rearing.



113	b. The impact of youth and teenage pregnancy on the
114	parent, child, and society.
115	c. The benefits of raising children within the context
116	of marriage.
117	d. The options for individuals experiencing unintended
118	pregnancy, the benefits of adoption for both the pregnant
119	youth or teenager and the child, and the associated challenges
120	of parenting, abortion, and adoption decisions.
121	e. Medically sound information relating to fetal growth
122	and development, maternal health, and infant health.
123	f. The educational and financial impact of youth and
124	teenage pregnancies.
125	(d) (e) Parents or guardians shall be given advanced,
126	written notification of the teaching of any sex education or
127	of the human reproductive process at least 14 days before the
128	content is taught to students. Upon the request of a parent or
129	guardian and prior to distribution to students, the school
130	shall make available to parents or guardians the sex education
131	curriculum in its entirety and provide each parent or guardian
132	with the opportunity to opt his or her child out from the
133	instruction, with no penalty to the student.
134	(f) Sex education and human reproductive curriculum,
135	advice, or content offered by a public K-12 school may not
136	include any of the following:
137	(1) Information that misrepresents the efficacy of
138	contraception use or demonstrates the use of contraceptive
139	materials.

(2) Information on how to obtain, or that provides a

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141	referral to, abortion services.
142	(3) Images, materials, or video footage that are
143	sexually explicit.
144	(g) Local boards of education may not use the services
145	of any individual or organization to assist in teaching about
146	sex education or the human reproductive system if that
147	individual or organization does not endorse sexual risk
148	avoidance as the primary means of sex education, or if the
149	individual or organization performs abortions, provides
150	referrals to abortion services, or provides funding, advocacy,
151	or other support for abortion.
152	(h) The Attorney General shall have the authority to
153	enforce the provisions of this section by obtaining injunctive
154	relief to require compliance with this section."
155	Section 2. This act shall become effective on October
156	1. 2024.







House of Representatives
Read for the first time and referred
Read for the second time and placed
Read for the third time and passed