

1 HB385
2 204104-7
3 By Representative Hall
4 RFD: Education Policy
5 First Read: 09-FEB-21

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ENROLLED, An Act,

To amend Section 16-40A-2, Code of Alabama 1975, relating to public K-12 sex education; to revise the focus of the content, course materials, and instruction provided to students.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-40A-2, Code of Alabama 1975, is amended to read as follows:

"§16-40A-2.

"(a) Any program or curriculum in the public schools in Alabama that includes sex education or the human reproductive process shall, ~~as~~ at a minimum, include and emphasize the following:

"(1) Abstinence from ~~sexual intercourse~~ sex is the only completely effective protection against ~~unwanted unintended~~ pregnancy, sexually transmitted ~~diseases~~ diseases and infections, and ~~acquired immune deficiency syndrome (AIDS)~~ human immunodeficiency virus (HIV) when transmitted sexually.

"(2) Abstinence from ~~sexual intercourse~~ sex outside of ~~lawful~~ marriage is the expected social standard for unmarried school-age persons.

"(b) Course materials and instruction that relate to sexual health education or sexually transmitted ~~diseases~~

1 diseases and infections ~~should~~ shall be age-appropriate and
2 medically accurate.

3 "(c) Course materials and instruction that relate to
4 sexual health education or sexually transmitted ~~diseases~~
5 diseases and infections ~~should~~ shall, if available, include
6 all of the following elements:

7 "(1) An emphasis on sexual abstinence as the only
8 completely reliable method of avoiding ~~unwanted~~ unintended
9 teenage pregnancy and sexually transmitted ~~diseases~~ diseases
10 and infections.

11 "(2) ~~An~~ The emphasis shall be on the importance of
12 ~~self-control and ethical conduct pertaining to~~ delaying sexual
13 activity and discouraging risky sexual behavior.

14 "(3) Statistics based on the latest medical
15 information that indicate the degree of reliability and
16 unreliability of various forms of contraception, while also
17 emphasizing the increase in protection against pregnancy and
18 protection against sexually transmitted ~~diseases~~ infections,
19 including HIV ~~and AIDS~~ infection, which is afforded by the use
20 of various contraceptive measures.

21 "(4) Information concerning the laws relating to the
22 financial responsibilities associated with pregnancy,
23 childbirth, and child rearing.

1 "(5) Information concerning the laws prohibiting
2 sexual abuse, the need to report such abuse, and the legal
3 options available to victims of sexual abuse.

4 "(6) Information on how to cope with and rebuff
5 unwanted physical and verbal sexual exploitation by other
6 persons.

7 "(7) Psychologically sound methods of resisting
8 unwanted peer pressure.

9 "~~(8) An emphasis, in a factual manner and from a
10 public health perspective, that homosexuality is not a
11 lifestyle acceptable to the general public and that homosexual
12 conduct is a criminal offense under the laws of the state.~~

13 "~~(9)~~ (8) Comprehensive instruction in parenting
14 skills and responsibilities, including the responsibility to
15 pay child support by non-custodial parents, the penalties for
16 non-payment of child support, and the legal and ethical
17 responsibilities of child care and child rearing."

18 "(d) Parents or guardians shall be given advanced,
19 written notification of the teaching of any sex education or
20 of the human reproductive process. Upon request and prior to
21 distribution to students, the school shall make available to
22 parents or guardians the sex education curriculum."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 02-MAR-21, as amended.

Jeff Woodard
Clerk

Senate

20-APR-21

Passed