



**House Education Policy Reported Substitute for  
HB195**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A BILL  
TO BE ENTITLED  
AN ACT

Relating to sex education in public K-12 schools; to amend Section 16-40A-2, Code of Alabama 1975, to require sex education and human reproductive system curriculum and programs to exclusively teach sexual risk avoidance and encourage abstinence from all nonmarital sexual activity; to prohibit the promotion of abortions or any nonmarital sexual activity in sex education or human reproductive systems curriculum; to prohibit demonstrations of or information about how to obtain contraceptives in sex education or human reproductive systems curriculum; to authorize parents or guardians to opt their child out of sexual education or human reproductive system curriculum or programs; and to authorize the Attorney General to enforce.

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 exclusively and emphatically teach sexual risk



## House Education Policy Reported Substitute for HB195

29 avoidance content and, at a minimum, include and emphasize  
30 each of the following:

31 (1) Abstinence from ~~sex~~ all sexual activity is the only  
32 ~~completely 100 percent~~ effective ~~protection against~~ way to  
33 prevent unintended pregnancy, sexually transmitted diseases  
34 and infections, and human immunodeficiency virus (HIV) when  
35 transmitted sexually.

36 (2) Abstinence from ~~sex~~ all sexual activity outside of  
37 marriage, regardless of a student's current or past sexual  
38 experience, is the expected social standard for unmarried  
39 school-age ~~persons~~ individuals.

40 (3) The advantages of avoiding nonmarital sexual  
41 activity and the potential physical and emotional negative  
42 outcomes associated with youth and teen sexual activity.

43 (b) For the purposes of this section, sexual risk  
44 avoidance refers to a primary prevention approach to sex  
45 education that seeks to achieve optimal health outcomes for  
46 all Alabama youth by providing information and skills needed  
47 to achieve the benefits of avoiding all non-marital sexual  
48 activity.

49 (c) Course materials and instruction that relate to  
50 sexual health education or sexually transmitted diseases and  
51 infections shall be age-appropriate and medically accurate.  
52 For purposes of this section, the term "age appropriate" means  
53 topics, messages, and teaching methods suitable to particular  
54 ages or age groups of children and adolescents, based on  
55 developing cognitive, emotional, and behavioral capacity  
56 typical for the age or age group.



## House Education Policy Reported Substitute for HB195

57 ~~(e)~~ (d) Course materials and instruction that relate to  
58 sexual health education or sexually transmitted diseases and  
59 infections, ~~if available~~, shall include all of the following  
60 elements:

61 (1) An emphasis on sexual abstinence as the only  
62 completely reliable method of avoiding unintended teenage  
63 pregnancy and sexually transmitted diseases and infections.

64 (2) The emphasis shall be on the importance of delaying  
65 sexual activity by and discouraging risky sexual behavior,  
66 providing skills to avoid sexual risk, and developing  
67 awareness among students of how sexual activity can impact the  
68 whole person, including physical, social, emotional,  
69 psychological, economic, and educational life outcomes.

70 (3) Statistics and data based on the latest accurate  
71 medical information that indicate ~~the degree of reliability~~  
72 ~~and unreliability~~ real life usage regarding the efficacy and  
73 limitations of various forms of contraception among the youth  
74 population, while also emphasizing the increase in protection  
75 against pregnancy and protection against sexually transmitted  
76 infections, including HIV infection, which is afforded by the  
77 use of various contraceptive measures, provided that the  
78 content: (i) is aligned with the exclusive message of sexual  
79 risk avoidance; (ii) does not normalize, encourage, or promote  
80 sexual behavior among youth and teens; (iii) is presented in  
81 the context that while contraception may reduce the risk of  
82 pregnancy and contracting sexually transmitted infections,  
83 including HIV, it does not eliminate the risk; and (iv)  
84 dispels any false sense of security about "safe sex."



## House Education Policy Reported Substitute for HB195

- 85           (4) ~~Information~~ Accurate and current information  
86 concerning the laws relating to all of the following:  
87           a. The ~~the~~ financial ~~responsibilities~~ impact associated  
88 with pregnancy, childbirth, and child rearing.  
89           b. Abortion, including medically accurate information  
90 regarding the procedure and risks associated with the  
91 procedure, and abortion law in Alabama, including that except  
92 for limited exceptions, abortion is prohibited in Alabama.  
93           c. The process of domestic infant adoption and placing  
94 a child with an adoptive family, including the availability of  
95 relevant resources.  
96           d. The process for surrendering a newborn infant  
97 pursuant to Chapter 25 of Title 26.  
98           (5) Information concerning the laws prohibiting sexual  
99 abuse, the need to report such abuse to a parent, guardian, or  
100 law enforcement, and the legal options available to victims of  
101 sexual abuse.  
102           (6) Information on how to identify and avoid unhealthy  
103 relationships, including factors predictive of physical,  
104 emotional, or sexual abuse and exploitation, coercion, or  
105 assault, and how to cope with and rebuff unwanted physical and  
106 verbal sexual exploitation by other ~~persons~~ individuals.  
107           (7) ~~Psychologically sound methods~~ Knowledge and skills  
108 to ~~of resisting~~ resist unwanted peer pressure and avoid  
109 cyberbullying, sexting, pornography, and online sexual  
110 predators, and the potential legal implications of  
111 participating in any of the preceding activities.  
112           (8) Comprehensive instruction in all of the following:



## House Education Policy Reported Substitute for HB195

113 a. Parenting ~~parenting~~ skills and responsibilities,  
114 including the responsibility to pay child support by  
115 non-custodial parents, the penalties for non-payment of child  
116 support, and the legal and ethical responsibilities of child  
117 care and child rearing.

118 b. The lifelong impact of youth and teenage pregnancy  
119 on the parent, child, and society.

120 c. The benefits of raising children within the context  
121 of marriage.

122 d. The options for individuals experiencing unintended  
123 pregnancy, the benefits of adoption for both the pregnant  
124 youth or teenager and the child, and the associated challenges  
125 of parenting, abortion, and adoption decisions.

126 e. Medically sound information relating to fetal growth  
127 and development, maternal health, and infant health.

128 f. The educational and financial impact of youth and  
129 teenage pregnancies.

130 g. The advantage of a father's involvement in the life  
131 of his child.

132 ~~(d)~~ (e) Parents or guardians shall be given advanced,  
133 written notification of the teaching of any sex education or  
134 of the human reproductive process at least 14 days before the  
135 content is taught to students. Upon the request of a parent or  
136 guardian and prior to distribution to students, the school  
137 shall make available to parents or guardians the sex education  
138 curriculum in its entirety and provide each parent or guardian  
139 with the opportunity to opt his or her child out from the  
140 instruction, with no penalty to the student.



## House Education Policy Reported Substitute for HB195

141 (f) Sex education and human reproductive curriculum,  
142 advice, or content offered by a public K-12 school may not  
143 include any of the following:

144 (1) Information that misrepresents the efficacy of  
145 contraception use, demonstrates the use of contraceptive  
146 materials, or provides referrals to obtain a contraceptive, or  
147 any information about the distribution of a contraceptive.

148 (2) Information or advice that encourages the use of,  
149 instructs on how to obtain, or provides a referral to abortion  
150 services or the use of an abortifacient.

151 (3) Graphic images, materials, or video footage that  
152 are sexually explicit or normalize youth or teenage sexual  
153 activity of any kind.

154 (4) Information that explicitly or implicitly promotes  
155 any activity or message that encourages youth or teenagers to  
156 experiment with nonmarital sexual activity.

157 (g) Local boards of education may not use the services  
158 of any individual or organization to assist in teaching about  
159 sex education or the human reproductive system if that  
160 individual or organization endorses an approach to sex  
161 education that does not endorse sexual risk avoidance as the  
162 exclusive and unambiguous means of sex education, or if the  
163 individual or organization performs abortions, provides  
164 referrals to abortion services, or provides funding, advocacy,  
165 or other support for abortion.

166 (h) The Attorney General shall have the authority to  
167 enforce the provisions of this section by obtaining injunctive  
168 relief to require compliance with this section."



**House Education Policy Reported Substitute for  
HB195**

169           Section 2. This act shall become effective on October  
170   1, 2024.