

SB209 ENROLLED



1 SB209
2 QNASV14-2
3 By Senator Shelnett
4 RFD: Education Policy
5 First Read: 27-Jan-26



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1 Enrolled, An Act,

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4 Relating to sex education in public K-12 schools; to
5 amend Section 16-40A-2, Code of Alabama 1975, to require sex
6 education and human reproductive process curricula and
7 programs to teach sexual risk avoidance and encourage
8 abstinence from all sexual activity; to prohibit the promotion
9 of abortions or any sexual activity in sex education or human
10 reproductive process curricula; to prohibit demonstrations of
11 contraceptives in sex education or human reproductive process
12 curricula; to authorize parents or guardians to opt their
13 child out of sex education or human reproductive process
14 curricula or programs; and to authorize the Attorney General
15 to enforce the act.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

19 "§16-40A-2

20 (a) Any program or curriculum in the public schools in
21 Alabama that includes sex education or the human reproductive
22 process shall teach sexual risk avoidance content and, at a
23 minimum, include and emphasize each of the following:

24 (1) Abstinence from ~~sex~~ all sexual activity is the only
25 completely 100 percent effective protection against way to
26 prevent unintended pregnancy, sexually transmitted diseases
27 and infections, and human immunodeficiency virus (HIV) when
28 transmitted sexually. For the purposes of this section,



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29 "sexual activity" refers to any physical contact between
30 individuals involving intimate or private areas of the body
31 such as vaginal, oral, or anal sex and intercourse or mutual
32 masturbation, which may potentially result in sexually
33 transmitted diseases and infections, HIV transmission,
34 pregnancy, and emotional risks.

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

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

41 (b) For the purposes of this section, "sexual risk
42 avoidance" refers to a primary prevention approach to sex
43 education that seeks to achieve the most favorable health
44 outcomes for all Alabama youth by providing information and
45 skills needed to achieve the benefits of avoiding sexual
46 activity and eliminating the corresponding physical, mental,
47 educational, and economic consequences associated with youth
48 sexual activities.

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 provided that no materials or instructions may introduce
53 concepts related to sexual behavior to early elementary
54 students in kindergarten through the fourth grade. For
55 purposes of this section, "age-appropriate" means topics,
56 messages, and teaching methods suitable to particular ages or



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57 age groups of children and adolescents, based on developing
58 cognitive, emotional, and behavioral capacity typical for the
59 age or age group.

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

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

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

73 (3) Statistics and data based on the latest accurate
74 medical information that indicate the degree of reliability
75 and unreliability real life usage regarding the efficacy and
76 limitations of various forms of contraception among the youth
77 population which, when used consistently and correctly in
78 every single sexual encounter may reduce, but not eliminate,
79 the risk of pregnancy or sexually transmitted infections,
80 including HIV infections, while also emphasizing the increase
81 in protection against pregnancy and protection against
82 sexually transmitted infections, including HIV infection,
83 which is afforded by the use of various contraceptive
84 measures, provided the content: (i) is aligned with the



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85 exclusive message of sexual risk avoidance; (ii) does not
86 encourage or promote sexual behavior among youth and teens;
87 and (iii) is presented in the context that while contraception
88 may reduce the risk of pregnancy and contracting sexually
89 transmitted infections, including HIV, it does not eliminate
90 the risk.

91 (4) ~~Information~~ Accurate and current information
92 concerning the laws relating to all of the following:

93 a. ~~The~~ the financial ~~responsibilities~~ impact associated
94 with pregnancy, childbirth, and child rearing.

95 b. Abortion, including: (i) medically accurate
96 information regarding the procedure and risks associated with
97 the procedure; and (ii) abortion law in Alabama, which
98 prohibits all forms of abortion except in limited medical
99 circumstances.

100 c. The process of domestic infant adoption, including
101 the availability of relevant resources.

102 d. The process for surrendering a newborn infant
103 pursuant to the safe haven law, Chapter 25 of Title 26.

104 (5) Information concerning the laws prohibiting sexual
105 abuse, the need to report such abuse to a parent, guardian, or
106 law enforcement, and the legal options available to victims of
107 sexual abuse.

108 (6) Information on how to identify and avoid unhealthy
109 relationships, including factors predictive of physical,
110 emotional, or sexual abuse and exploitation, coercion, or
111 assault, and how to cope with and rebuff unwanted physical and
112 verbal sexual exploitation by other ~~persons~~ individuals.



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113 (7) ~~Psychologically sound methods of resisting~~
114 Knowledge and skills to resist unwanted peer pressure and
115 avoid cyberbullying, sexting, pornography, and online sexual
116 predators, and the potential legal implications of
117 participating in any of the preceding activities.

118 (8) Comprehensive instruction in all of the following:

119 a. Parenting~~parenting~~ skills and responsibilities,
120 including the benefits of a child being reared by both
121 parents, responsibility to pay child support by~~non-custodial~~
122 a noncustodial parent or parents, the penalties for
123 ~~non-payment~~ nonpayment of child support, and the legal and
124 ethical responsibilities of child care and child rearing.

125 b. The impact of youth and teenage pregnancy on the
126 parent, child, and society.

127 c. The benefits of rearing children within the context
128 of marriage, and the success sequence as provided by Section
129 16-40-14.

130 d. The options for individuals experiencing unintended
131 pregnancy, the benefits of adoption for both the pregnant
132 youth or teenager and the child, and the associated challenges
133 of parenting, abortion, and adoption decisions.

134 e. Medically sound information relating to fetal growth
135 and development, maternal health, and infant health.

136 f. The educational and financial impact of youth and
137 teenage pregnancies.

138 ~~(d)~~ (e) Parents or guardians shall be given advanced,
139 written notification of the teaching of any sex education or
140 of the human reproductive process at least 14 days before the

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141 content is taught to students. Upon the request of a parent or
142 guardian and prior to distribution to students, the school
143 shall make available to parents or guardians the sex education
144 curriculum in its entirety and provide each parent or guardian
145 with the opportunity to opt his or her child out from the
146 instruction, with no penalty to the student.

147 (f) Sex education and human reproductive curricula,
148 advice, or content offered by a public K-12 school may not
149 include any of the following:

150 (1) Information that misrepresents the efficacy of
151 contraception use, demonstrates the use of contraceptive
152 materials, or explains how to obtain, or provides a referral
153 for, contraceptives.

154 (2) Information on how to obtain, or that provides a
155 referral to, abortion services.

156 (3) Images, materials, or video footage that are
157 sexually explicit.

158 (g) Local boards of education may not use the services
159 of any individual or organization to assist in teaching about
160 sex education or the human reproductive process if that
161 individual or organization does not endorse sexual risk
162 avoidance as the primary 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 abortions.

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



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169 Section 2. This act shall become effective on October
170 1, 2026.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB209

Senate 19-Feb-26

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 07-Apr-26

Senate concurred in House amendment

By: Senator Shelnut