

SB209 INTRODUCED



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



4 SYNOPSIS:

5 Under existing law, any program or curriculum in
6 a public K-12 school that includes sex education or the
7 human reproductive process must emphasize abstinence as
8 the only effective protection against unintended
9 pregnancy and sexually transmitted disease.

10 This bill would require any sex education or
11 human reproductive curriculum or program in a public
12 K-12 school to exclusively teach sexual risk avoidance
13 and encourage abstinence from all sexual activity, and
14 would prohibit any sex education instruction for
15 students in kindergarten through fourth grade.

16 This bill would further provide for the sex
17 education and human reproductive curriculum or program
18 in public K-12 schools, including the provision of
19 information about state laws relating to the financial
20 cost of pregnancy and child care, abortion, and
21 adoption, and instruction about parenting
22 responsibilities.

23 This bill would prohibit any sex education or
24 human reproductive curriculum or program from: (i)
25 providing a referral to or information about how to
26 acquire an abortion or contraception; (ii)
27 misrepresenting the efficacy of or demonstrating the
28 use of contraceptives; and (iii) using images that are



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sexually explicit.

This bill would prohibit any local board of education from using the services of any individual or organization that does not endorse sexual risk avoidance or that advocates for or performs abortions.

This bill would require each parent or guardian to be provided with notice before sex education or information about the human reproductive process is provided to students, and would provide each parent or guardian with the ability to opt his or her child out of the curriculum or program.

This bill would also allow the Attorney General to enforce the requirements of this bill.

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 process curricula and programs to teach sexual risk avoidance and encourage abstinence from all sexual activity; to prohibit the promotion of abortions or any sexual activity in sex education or human reproductive process curricula; to prohibit demonstrations of contraceptives in sex education or human reproductive process curricula; to authorize parents or guardians to opt their



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child out of sex education or human reproductive process
curricula or programs; and to authorize the Attorney General
to enforce the act.

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 teach sexual risk avoidance content and, at a
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. For the purposes of this section,
"sexual activity" refers to any physical contact between
individuals involving intimate or private areas of the body
such as vaginal, oral, or anal sex and intercourse or mutual
masturbation, which may potentially result in sexually
transmitted diseases and infections, HIV transmission,
pregnancy, and emotional risks.

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

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



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(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 and eliminating the corresponding physical, mental, educational, and economic consequences associated with youth sexual activities.

(c) Course materials and instruction that relate to sexual health education or sexually transmitted diseases and infections shall be age-appropriate and medically accurate, provided that no materials or instructions may introduce concepts related to sexual behavior to early elementary students in kindergarten through the fourth grade. For purposes of this section, "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 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,



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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.

(3) Statistics and data based on the latest accurate 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 which, when used consistently and correctly in every single sexual encounter may reduce, but not eliminate, the risk of pregnancy or sexually transmitted infections, including HIV infections, ~~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 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) ~~Information~~ Accurate and current information concerning the laws relating to all of the following:

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

b. Abortion, including: (i) medically accurate information regarding the procedure and risks associated with



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the procedure; and (ii) abortion law in Alabama, which prohibits all forms of abortion except in limited medical circumstances.

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

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

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

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

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

(8) Comprehensive instruction in all of the following:

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



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

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

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

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

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

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

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

(1) Information that misrepresents the efficacy of contraception use, demonstrates the use of contraceptive materials, or explains how to obtain, or provides a referral



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197 for, contraceptives.

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

200 (3) Images, materials, or video footage that are
201 sexually explicit.

202 (g) Local boards of education may not use the services
203 of any individual or organization to assist in teaching about
204 sex education or the human reproductive process if that
205 individual or organization does not endorse sexual risk
206 avoidance as the primary means of sex education, or if the
207 individual or organization performs abortions, provides
208 referrals to abortion services, or provides funding, advocacy,
209 or other support for abortions.

210 (h) The Attorney General shall have the authority to
211 enforce this section by obtaining injunctive relief to require
212 compliance with this section."

213 Section 2. This act shall become effective on October
214 1, 2026.