

SB209 INTRODUCED



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



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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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29 sexually explicit.

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

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

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

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44 A BILL

45 TO BE ENTITLED

46 AN ACT

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48 Relating to sex education in public K-12 schools; to
49 amend Section 16-40A-2, Code of Alabama 1975, to require sex
50 education and human reproductive process curricula and
51 programs to teach sexual risk avoidance and encourage
52 abstinence from all sexual activity; to prohibit the promotion
53 of abortions or any sexual activity in sex education or human
54 reproductive process curricula; to prohibit demonstrations of
55 contraceptives in sex education or human reproductive process
56 curricula; to authorize parents or guardians to opt their



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

60 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

63 "§16-40A-2

64 (a) Any program or curriculum in the public schools in
65 Alabama that includes sex education or the human reproductive
66 process shall teach sexual risk avoidance content and, at a
67 minimum, include ~~and emphasize each of~~ the following:

68 (1) Abstinence from ~~sex~~ all sexual activity is the only
69 ~~completely~~100 percent effective ~~protection against~~ way to
70 prevent unintended pregnancy, sexually transmitted diseases
71 and infections, and human immunodeficiency virus (HIV) when
72 transmitted sexually. For the purposes of this section,
73 "sexual activity" refers to any physical contact between
74 individuals involving intimate or private areas of the body
75 such as vaginal, oral, or anal sex and outercourse or mutual
76 masturbation, which may potentially result in sexually
77 transmitted diseases and infections, HIV transmission,
78 pregnancy, and emotional risks.

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

82 (3) The advantages of avoiding nonmarital sexual
83 activity and the potential physical and emotional negative
84 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 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.

(e)(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,



113 providing skills to avoid sexual risk, and developing
114 awareness among students of how sexual activity can impact the
115 whole person, including physical, social, emotional,
116 psychological, economic, and educational life outcomes.

117 (3) Statistics and data based on the latest accurate
118 medical information that indicate ~~the degree of reliability~~
119 ~~and unreliability~~ real life usage regarding the efficacy and
120 limitations of various forms of contraception among the youth
121 population which, when used consistently and correctly in
122 every single sexual encounter may reduce, but not eliminate,
123 the risk of pregnancy or sexually transmitted infections,
124 including HIV infections, while also emphasizing the increase
125 ~~in protection against pregnancy and protection against~~
126 ~~sexually transmitted infections, including HIV infection,~~
127 ~~which is afforded by the use of various contraceptive~~
128 ~~measures, provided the content: (i) is aligned with the~~
129 ~~exclusive message of sexual risk avoidance; (ii) does not~~
130 ~~encourage or promote sexual behavior among youth and teens;~~
131 ~~and (iii) is presented in the context that while contraception~~
132 ~~may reduce the risk of pregnancy and contracting sexually~~
133 ~~transmitted infections, including HIV, it does not eliminate~~
134 ~~the risk.~~

135 (4) ~~Information~~ Accurate and current information
136 concerning the laws relating to all of the following:
137 a. The~~the~~ financial~~responsibilities~~ impact associated
138 with pregnancy, childbirth, and child rearing.
139 b. Abortion, including: (i) medically accurate
140 information regarding the procedure and risks associated with



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

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

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

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

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

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

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

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



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

171 **c. The benefits of rearing children within the context**
172 **of marriage, and the success sequence as provided by Section**
173 **16-40-14.**

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

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

180 **f. The educational and financial impact of youth and**
181 **teenage pregnancies.**

182 **(d)(e) Parents or guardians shall be given advanced,**
183 **written notification of the teaching of any sex education or**
184 **of the human reproductive process at least 14 days before the**

185 **content is taught to students.** Upon **the request of a parent or**
186 **guardian** and prior to distribution to students, the school
187 shall make available to parents or guardians the sex education
188 curriculum **in its entirety and provide each parent or guardian**
189 **with the opportunity to opt his or her child out from the**
190 **instruction, with no penalty to the student.**

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

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



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.