

By: Dukes

H.B. No. 48

A BILL TO BE ENTITLED

AN ACT

1
2 relating to health education curriculum and instruction in public
3 schools to reduce the demand for abortion.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The legislature finds that:

6 (1) Texas led the nation in 2010 in the rate of teenage
7 girls who had second children, according to the Centers for Disease
8 Control and Prevention;

9 (2) approximately 22 percent of births in Texas and
10 18.3 percent of births in the United States by girls age 15 to 19
11 were repeat births in 2010, compared to 19.5 percent in the United
12 States in 2007;

13 (3) an estimated 80 percent of teen births are
14 unintended and cost American taxpayers approximately \$11 billion a
15 year and cost Texas taxpayers \$1.2 billion in 2008, according to the
16 National Campaign to Prevent Teen and Unplanned Pregnancy;

17 (4) the only certain way to avoid the termination of an
18 unwanted pregnancy is to prevent the unwanted pregnancy;

19 (5) the state has a compelling state interest in
20 ensuring that there is appropriate knowledge of how a pregnancy
21 occurs and how a pregnancy can be avoided; and

22 (6) according to the Centers for Disease Control and
23 Prevention, effective strategies to reduce teen pregnancy include
24 evidence-based sex education that provides accurate information

1 and supports the needs of teens throughout their development.

2 SECTION 2. Section 28.004, Education Code, is amended by
3 amending Subsection (e) and adding Subsection (o) to read as
4 follows:

5 (e) Any course materials and instruction relating to human
6 sexuality, sexually transmitted diseases, or human
7 immunodeficiency virus or acquired immune deficiency syndrome
8 shall be selected by the board of trustees with the advice of the
9 local school health advisory council and must:

10 (1) be evidence-based;

11 (2) present abstinence from sexual activity as the
12 preferred choice of behavior in relationship to all sexual activity
13 for unmarried persons of school age;

14 (3) [~~2~~] devote more attention to abstinence from
15 sexual activity than to any other behavior;

16 (4) [~~3~~] emphasize that abstinence from sexual
17 activity, if used consistently and correctly, is the only method
18 that is 100 percent effective in preventing pregnancy, sexually
19 transmitted diseases, infection with human immunodeficiency virus,
20 [~~or~~] acquired immune deficiency syndrome, and the emotional trauma
21 associated with adolescent sexual activity;

22 (5) [~~4~~] direct adolescents to a standard of behavior
23 in which abstinence from sexual activity before marriage is the
24 most effective way to prevent pregnancy, sexually transmitted
25 diseases, [~~and~~] infection with human immunodeficiency virus, and
26 [~~or~~] acquired immune deficiency syndrome; and

27 (6) [~~5~~] teach contraception and condom use in terms

1 of human use reality rates instead of theoretical laboratory rates,
2 if instruction on contraception and condoms is included in
3 curriculum content.

4 (o) In this section, "evidence-based" means information
5 verified or supported by research that is:

6 (1) conducted in compliance with accepted scientific
7 methods;

8 (2) published in peer-reviewed journals, if
9 appropriate;

10 (3) recognized as medically accurate, objective, and
11 complete by mainstream professional organizations and agencies
12 with expertise in the relevant field, including the federal Centers
13 for Disease Control and Prevention and the United States Department
14 of Health and Human Services; and

15 (4) proven through rigorous, scientific evaluation to
16 achieve positive outcomes on measures of sexual risk behavior or
17 its health consequences.

18 SECTION 3. This Act applies beginning with the 2013-2014
19 school year.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect on the 91st day after the last day of the
25 legislative session.