

1-1 By: Rodriguez S.B. No. 538
 1-2 (In the Senate - Filed February 13, 2013; February 20, 2013,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 26, 2013, rereferred to Committee on Criminal Justice;
 1-5 April 18, 2013, reported favorably by the following vote:
 1-6 Yeas 5, Nays 0; April 18, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15			X	

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the repeal of the offense of homosexual conduct.
 1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-20 SECTION 1. Section 21.06, Penal Code, is repealed.
 1-21 SECTION 2. Subsection (b), Section 85.007, Health and
 1-22 Safety Code, is amended to read as follows:
 1-23 (b) The materials in the education programs intended for
 1-24 persons younger than 18 years of age must[+
 1-25 [~~(1)~~] emphasize sexual abstinence before marriage and
 1-26 fidelity in marriage as the expected standard in terms of public
 1-27 health and the most effective ways to prevent HIV infection,
 1-28 sexually transmitted diseases, and unwanted pregnancies[~~, and~~
 1-29 [~~(2)~~ state that homosexual conduct is not an
 1-30 acceptable lifestyle and is a criminal offense under Section 21.06,
 1-31 Penal Code].
 1-32 SECTION 3. Section 163.002, Health and Safety Code, is
 1-33 amended to read as follows:
 1-34 Sec. 163.002. INSTRUCTIONAL ELEMENTS. Course materials and
 1-35 instruction relating to sexual education or sexually transmitted
 1-36 diseases should include:
 1-37 (1) an emphasis on sexual abstinence as the only
 1-38 completely reliable method of avoiding unwanted teenage pregnancy
 1-39 and sexually transmitted diseases;
 1-40 (2) an emphasis on the importance of self-control,
 1-41 responsibility, and ethical conduct in making decisions relating to
 1-42 sexual behavior;
 1-43 (3) statistics, based on the latest medical
 1-44 information, that indicate the efficacy of the various forms of
 1-45 contraception;
 1-46 (4) information concerning the laws relating to the
 1-47 financial responsibilities associated with pregnancy, childbirth,
 1-48 and child rearing;
 1-49 (5) information concerning the laws prohibiting
 1-50 sexual abuse and the legal and counseling options available to
 1-51 victims of sexual abuse;
 1-52 (6) information on how to cope with and rebuff
 1-53 unwanted physical and verbal sexual advances, as well as the
 1-54 importance of avoiding the sexual exploitation of other persons;
 1-55 and
 1-56 (7) psychologically sound methods of resisting
 1-57 unwanted peer pressure[~~, and~~
 1-58 [~~(8)~~ emphasis, provided in a factual manner and from a
 1-59 public health perspective, that homosexuality is not a lifestyle
 1-60 acceptable to the general public and that homosexual conduct is a
 1-61 criminal offense under Section 21.06, Penal Code].

2-1 SECTION 4. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2013.

2-6

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