

By: Watson

S.B. No. 297

A BILL TO BE ENTITLED

AN ACT

relating to health education curriculum and instruction in public schools.

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

SECTION 1. The legislature finds that:

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

(2) approximately 22 percent of births in Texas by girls age 15 to 19 were repeat births in 2010, compared to 18.3 percent in the United States;

(3) an estimated 82 percent of teen births are unintended and cost American taxpayers approximately \$9.4 billion a year and cost Texas taxpayers \$1.1 billion in 2010, according to the National Campaign to Prevent Teen and Unplanned Pregnancy;

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

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

(6) according to the Centers for Disease Control and Prevention, effective strategies to prevent teen pregnancy include evidence-based teen pregnancy prevention programs that address specific protective factors based on knowledge, skills, beliefs, or

1 attitudes related to teen pregnancy, including knowledge of sexual
2 issues, sexually transmitted diseases, infection with human
3 immunodeficiency virus, acquired immune deficiency syndrome,
4 pregnancy, and methods of pregnancy prevention.

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

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

13 (1) be evidence-based;

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

17 (3) [~~(2)~~] devote more attention to abstinence from
18 sexual activity than to any other behavior;

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

25 (5) [~~(4)~~] direct adolescents to a standard of behavior
26 in which abstinence from sexual activity before marriage is the
27 most effective way to prevent pregnancy, sexually transmitted

diseases, ~~[and]~~ infection with human immunodeficiency virus, and
~~[or]~~ acquired immune deficiency syndrome; and

(6) ~~(5)~~ teach contraception and condom use in terms
of human use reality rates instead of theoretical laboratory rates,
if instruction on contraception and condoms is included in
curriculum content.

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

(1) conducted in compliance with accepted scientific
methods;

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

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

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

SECTION 3. This Act applies beginning with the 2015-2016
school year.

SECTION 4. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2015.