

By: Menéndez

S.B. No. 261

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the repeal of statutes regarding the criminality or
3 unacceptability of homosexual conduct and to the recognition of
4 certain same-sex relationship statuses.

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

6 SECTION 1. The following laws are repealed:

7 (1) Sections 2.001(b), 3.401(5), and 6.204, Family
8 Code;

9 (2) Sections 810.001(h) and (i), Government Code; and

10 (3) Section 21.06, Penal Code.

11 SECTION 2. Section 85.007(b), Health and Safety Code, is
12 amended to read as follows:

13 (b) The materials in the education programs intended for
14 persons younger than 18 years of age must[+]

15 [~~(1)~~] emphasize sexual abstinence before marriage and
16 fidelity in marriage as the expected standard in terms of public
17 health and the most effective ways to prevent HIV infection,
18 sexually transmitted diseases, and unwanted pregnancies[~~, and~~

19 [~~(2) state that homosexual conduct is not an~~
20 ~~acceptable lifestyle and is a criminal offense under Section 21.06,~~
21 ~~Penal Code].~~

22 SECTION 3. Section 163.002, Health and Safety Code, is
23 amended to read as follows:

24 Sec. 163.002. INSTRUCTIONAL ELEMENTS. Course materials and

1 instruction relating to sexual education or sexually transmitted
2 diseases should include:

3 (1) an emphasis on sexual abstinence as the only
4 completely reliable method of avoiding unwanted teenage pregnancy
5 and sexually transmitted diseases;

6 (2) an emphasis on the importance of self-control,
7 responsibility, and ethical conduct in making decisions relating to
8 sexual behavior;

9 (3) statistics, based on the latest medical
10 information, that indicate the efficacy of the various forms of
11 contraception;

12 (4) information concerning the laws relating to the
13 financial responsibilities associated with pregnancy, childbirth,
14 and child rearing;

15 (5) information concerning the laws prohibiting
16 sexual abuse and the legal and counseling options available to
17 victims of sexual abuse;

18 (6) information on how to cope with and rebuff
19 unwanted physical and verbal sexual advances, as well as the
20 importance of avoiding the sexual exploitation of other persons;
21 and

22 (7) psychologically sound methods of resisting
23 unwanted peer pressure[~~, and~~

24 [~~(8) emphasis, provided in a factual manner and from a
25 public health perspective, that homosexuality is not a lifestyle
26 acceptable to the general public and that homosexual conduct is a
27 criminal offense under Section 21.06, Penal Code].~~

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2021.