

## **BILL ANALYSIS**

Senate Research Center  
88R1948 MEW-D

S.B. 410  
By: Paxton  
Education  
4/11/2023  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 28.002(a)(2)(B), Education Code, stipulates that the public education curriculum includes health instruction as one of the enrichment curriculum subjects. Previously, the Texas Legislature has directed the State Board of Education (SBOE) to incorporate certain important content areas to the state's health curriculum for certain grade levels, such as substance abuse awareness and bullying prevention. S.B. 410 will accomplish the same for instruction in fetal development. By placing direction that the SBOE shall include fetal development in the Texas Essential Knowledge and Skills (TEKS), the state's curriculum standards, into statute, S.B. 410 will ensure that fetal development instruction remains in the health TEKS beyond just the current review cycle.

A human being begins its life and development while still in the womb, and thus excluding fetal development from the health curriculum shortchanges Texas students from fully understanding the human development process. As such, the absence of such instruction would impede the goal of enabling Texas' students to make informed decisions relating to their health in the future.

As proposed, S.B. 410 amends current law relating to fetal development instruction included as part of the public school health curriculum in certain grade levels.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the State Board of Education in SECTION 1 (Section 28.002, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.002, Education Code, by adding Subsection (x), as follows:

(x) Requires the State Board of Education to adopt rules requiring students enrolled in grade levels seven and eight to receive instruction on fetal development as part of the essential knowledge and skills for the health curriculum required under Subsection (a)(2)(B) (relating to requiring each school district that offers kindergarten through 12th grade to offer an enrichment curriculum that includes discussion of both physical and mental health). Requires that the instruction include:

(1) information on:

(A) the human reproductive process, pregnancy, and infertility;

(B) the establishment of healthy life skills; and

(C) the prevention of birth defects, including information on the effect of drugs, alcohol, and environmental hazards such as lead; and

(2) a description of the growth and development of an unborn child that occur during each trimester of pregnancy.

SECTION 2. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 3. Effective date: upon passage or September 1, 2023.