

SEX EDUCATION INSTRUCTION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tim Jimenez

Senate Sponsor: Keith Grover

LONG TITLE

General Description:

This bill removes human sexuality from the definition of sex education instruction.

Highlighted Provisions:

This bill:

- ▶ removes human sexuality from the definition of sex education instruction; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-10-403, as last amended by Laws of Utah 2019, Chapter 293

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-10-403** is amended to read:

53G-10-403. Required parental consent for sex education instruction.

(1) As used in this section:

(a) (i) "Sex education instruction" means ~~H~~→ , **for the purpose of the parental consent**

requirement in this section, ←~~H~~ any course material, unit, class, lesson,

activity, or presentation that, as the focus of the discussion, provides instruction or information



28 to a student about:

29 (A) sexual abstinence;

30 [~~(B)~~] human sexuality;

31 [~~(C)~~] (B) human reproduction;

32 [~~(D)~~] (C) reproductive anatomy;

33 [~~(E)~~] (D) physiology;

34 [~~(F)~~] (E) pregnancy;

35 [~~(G)~~] (F) marriage;

36 [~~(H)~~] (G) childbirth;

37 [~~(I)~~] (H) parenthood;

38 [~~(J)~~] (I) contraception;

39 [~~(K)~~] (J) HIV/AIDS;

40 [~~(L)~~] (K) sexually transmitted diseases; or

41 [~~(M)~~] (L) refusal skills, as defined in Section 53G-10-402.

42 (ii) "Sex education instruction" does not include child sexual abuse prevention

43 instruction described in Section 53G-9-207.

44 (b) "School" means the same as that term is defined in Section 53G-10-205.

45 (2) ~~H~~ → (a) ← ~~H~~ A school shall obtain prior written consent from a student's parent before
45a the school

46 may provide sex education instruction to the student.

46a ~~H~~ → (b) **Notwithstanding receipt of the consent described in Subsection (2)(a), a school may not**

46b **provide sex education instruction that is not provided** ~~S~~ → [~~in the curriculum described~~] ← ~~S~~ **in**

46b1 **Section**

46c **53G-10-402.** ← ~~H~~

47 (3) If a student's parent chooses not to have the student participate in sex education

48 instruction, a school shall:

49 (a) waive the requirement for the student to participate in the sex education instruction;

50 or

51 (b) provide the student with a reasonable alternative to the sex education instruction
52 requirement.

53 (4) In cooperation with the student's teacher or school, a parent shall take responsibility
54 for the parent's student's sex education instruction if a school:

55 (a) waives the student's sex education instruction requirement in Subsection (3)(a); or

56 (b) provides the student with a reasonable alternative to the sex education instruction
57 requirement described in Subsection (3)(b).

58 (5) A student's academic or citizenship performance may not be penalized if the

59 student's parent chooses not to have the student participate in sex education instruction as
60 described in Subsection (3).

61 Section 2. **Effective date.**

62 This bill takes effect on May 1, 2024.