

By: Leach

H.B. No. 1057

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of and parental approval for a student's  
3 participation in human sexuality and family planning instruction in  
4 public schools.

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

6 SECTION 1. Section 28.004, Education Code, is amended by  
7 adding Subsections (e-1), (e-2), and (i-2) to read as follows:

8 (e-1) An entity or individual that performs abortions or an  
9 affiliate of an entity or individual that performs abortions may  
10 not provide human sexuality or family planning instruction or  
11 instructional materials for use in human sexuality or family  
12 planning instruction in a public school.

13 (e-2) For purposes of Subsection (e-1), "affiliate" means  
14 an entity or individual that has a legal relationship with another  
15 entity or individual that is created or governed by at least one  
16 written instrument that demonstrates:

17 (1) common ownership, management, or control;

18 (2) the existence of a franchise; or

19 (3) the granting or extension of a license or other  
20 agreement that authorizes the affiliate to use the entity's or  
21 individual's brand name, trademark, service mark, or other  
22 registered identification mark.

23 (i-2) Before a student may be provided with human sexuality  
24 or family planning instruction from an entity or individual other

1 than an employee of a school district, the district must obtain the  
2 written consent of the student's parent or guardian. A request for  
3 written consent under this subsection:

4 (1) may not be included with any other notification or  
5 request for written consent provided to the parent or guardian;

6 (2) must be provided to the parent or guardian not  
7 later than the 14th day before the date on which the human sexuality  
8 or family planning instruction begins; and

9 (3) must include the information described by  
10 Subsection (i)(1) and the name of the entity or individual who will  
11 provide the instruction.

12 SECTION 2. This Act applies beginning with the 2013-2014  
13 school year.

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