

2017 Regular Session

SENATE BILL NO. 85

BY SENATOR COLOMB

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS. Authorizes the state Department of Education and the Louisiana Department of Health to survey students regarding certain risk behavior associated with chronic health conditions. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:281(A)(2), relative to student health; to authorize the state  
3 Department of Education and the Louisiana Department of Health to survey students  
4 about risk behavior associated with chronic health conditions; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:281(A)(2) is hereby amended and reenacted to read as follows:

8 §281. Instruction in sex education

9 A.

10 \* \* \*

11 (2)(a) It is the intent of the legislature that, for the purposes of this Section,  
12 "sex education" shall mean the dissemination of factual biological or pathological  
13 information that is related to the human reproduction system and may include the  
14 study of sexually transmitted disease, pregnancy, childbirth, puberty, menstruation,  
15 and menopause, as well as the dissemination of factual information about parental  
16 responsibilities under the child support laws of the state. It is the intent of the  
17 legislature that "sex education" shall not include religious beliefs, practices in human

1           sexuality, nor the subjective moral and ethical judgments of the instructor or other  
 2           persons. Students shall not be tested, quizzed, or surveyed about their personal or  
 3           family beliefs or practices in **about** sex, morality, or religion.

4                       **(b) Notwithstanding the provisions of Subparagraph (a) of this**  
 5                       **Paragraph, the following may survey high school students anonymously about**  
 6                       **their risk behavior associated with chronic health conditions, including those**  
 7                       **related to sexual health:**

8                               **(i) The state Department of Education.**

9                               **(ii) The Louisiana Department of Health.**

10                       **(c) Prior to the administration of any survey authorized by the provisions**  
 11                       **of Subparagraph (b) of this Paragraph, a student's parent or legal guardian**  
 12                       **shall be provided the opportunity to request that the student be excused from**  
 13                       **completing the survey. Upon such request, the student shall neither be given nor**  
 14                       **be required to complete the survey.**

15   \*       \*       \*

16           Section 2. This Act shall become effective upon signature by the governor or, if not  
 17           signed by the governor, upon expiration of the time for bills to become law without signature  
 18           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 19           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 20           effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Cheryl Serrett.

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SB 85 Engrossed

DIGEST  
 2017 Regular Session

Colomb

Present law authorizes public schools to offer instruction in "sex education" if such instruction is integrated into an existing course of study such as biology, science, physical hygiene, or physical education. Prohibits testing, quizzing, or surveying students about their personal beliefs or practices in sex, morality, or religion.

Proposed law adds an exception to present law by authorizing the state Dept. of Education and the La. Dept. of Health to survey high school students anonymously about their risk behavior associated with chronic health conditions, including those related to sexual health. Provides that prior to survey administration, a student's parent or legal guardian shall be provided the opportunity to request that he be excused from completing the survey and that upon such request, the student shall neither be given nor be required to complete the survey.

Otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:281(A)(2))