

## ACT 27

S.B. NO. 777

A Bill for an Act Relating to Comprehensive Sexuality Health Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The federal government spends over \$170,000,000 per year to subsidize states and community organizations that provide abstinence-only-until-marriage sex education to youth in the United States. Abstinence-only-until-marriage sex education teaches that the expected standard of human sexual activity is a monogamous, marital, heterosexual relationship and that sex outside such a relationship is physically and psychologically harmful. Abstinence-only education advocates that abstinence is the only method that can effectively prevent disease and pregnancy and provides no additional information about contraception or alternative methods of disease prevention.

In April 2007, a federally funded report found abstinence-only education to be ineffective. The study found that youth receiving abstinence-only education had the same abstinence rate, average age at first intercourse, and average number of sexual partners as youth who did not participate in abstinence-only programs. Report researchers concluded that the recent decline in the rate of teen pregnancy in the United States is most likely the result of improved use of contraception rather than a decrease in sexual activity.

As of September 2008, twenty-five states have refused to participate in abstinence-only programs. These states instead support a comprehensive sexuality education that provides responsible, age-appropriate instruction on the benefits of abstinence as well as a variety of issues related to sexuality, contraception, and disease prevention.

The purpose of this Act is to require any recipient of state funding specifically for sexuality health education programs to provide medically accurate, factual, and comprehensive information that is age appropriate and includes education on abstinence and contraception.

SECTION 2. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§321- Medically accurate sexuality health education.** (a) Sexuality health education programs funded by the State shall provide medically accurate and factual information that is age appropriate and includes education on abstinence, contraception, and methods of disease prevention to prevent unintended pregnancy and sexually transmitted disease, including human immunodeficiency virus.

(b) For the purposes of this section:

“Age appropriate” means suitable to a particular age or age group based on developing cognitive, emotional, and behavioral capacity typical for that age or age group.

“Factual information” means medical, psychiatric, psychological, empirical, or statistical information that is verified or supported by research conducted by recognized medical, psychiatric, psychological, and public health professionals or organizations.

“Medically accurate” means verified or supported by research conducted in compliance with accepted scientific methods and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the

American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists.

“Sexuality health education” means education in any medium regarding human development and sexuality, including education on pregnancy, family planning, and sexually transmitted diseases.”

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Vetoed by Governor and veto overridden by Legislature on July 15, 2009.)

**Note**

1. Edited pursuant to HRS §23G-16.5.