

SUBJECT: Requiring parental approval for public school human sexuality instruction

COMMITTEE: Public Education — favorable, without amendment

VOTE: 9 ayes — Buckley, Allison, Cunningham, Cody Harris, Harrison, Hefner, K. King, Longoria, Schaefer

3 nays — Allen, Hinojosa, Talarico

1 present not voting — Dutton

SENATE VOTE: On final passage (April 20) —24-7

WITNESSES: For — Mary Elizabeth Castle, Texas Values Action (*Registered, but did not testify*: Carrie Moore, Citizens Defending Freedom, Nueces County/Texas Education 911; Joe Pojman Ph.D., Executive Director; Bronwyn Blake, Texas Advocacy Project; John Litzler, Texas Baptists' Christian Life Commission; Cindi Castilla, Texas Eagle Forum; Matthew McCormick, Texas Public Policy Foundation; Jonathan Covey, Texas Values; Jonathan Saenz, Texas Values Action; Beth Abel, Shelia Franklin, Natalie Ibe, Charles Lewis, Ellen Leyrer, True Texas Project; and eight individuals)

Against —Jennifer Biundo, Sophia Montemayor, Healthy Futures of Texas; Stephany Bauer (*Registered, but did not testify*: Nick Hudson, American Civil Liberties Union of Texas; Ana O'Quin, Girls Empowerment Network; Clint Birdsong, Human Rights Campaign; Darcy Caballero, Planned Parenthood Texas Votes; Hayden Cohen, Students Engaged in Advancing Texas; Carisa Lopez, Texas Freedom Network; Lauren Rose, Texas Network of Youth Services; Suzi Kennon, Texas PTA; Katherine Schmader, Travis County Democratic Party; and 22 individuals)

On — (*Registered, but did not testify*: Eric Marin, Monica Martinez, Texas Education Agency)

BACKGROUND: Under Education Code sec. 28.004 (i-2), school districts must obtain written consent from a student's parents before providing the student with human sexuality instruction. Subsection (i-3) specifies that this provision will expire on August 1, 2024.

Some have suggested that the expiration date for the requirement that a school district obtains written parental consent before students can receive human sexuality instruction should be removed.

DIGEST: SB 163 would repeal Education Code sec. 28.004 (i-3).

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.