**** 68th Legislature 2023

1	HOUSE BILL NO. 566
2	INTRODUCED BY F. ANDERSON, S. KERNS
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REQUIREMENTS FOR SCHOOLS TO PROVIDE
5	NOTICE TO PARENTS AND GUARDIANS PRIOR TO THE PROVISION OF HUMAN SEXUALITY
6	INSTRUCTION; REVISING THE DEFINITION OF "HUMAN SEXUALITY INSTRUCTION"; AMENDING
7	SECTION 20-7-120, MCA; AND PROVIDING AN EFFECTIVE DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	Section 1. Section 20-7-120, MCA, is amended to read:
12	"20-7-120. Excused absences from curriculum requirements notice prohibited activities.
13	(1) A parent, guardian, or other person who is responsible for the care of a child may refuse to allow the child to
14	attend or withdraw the child from a course of instruction, a class period, an assembly, an organized school
15	function, or instruction provided by the district through its staff or guests invited at the request of the district
16	regarding human sexuality instruction. The withdrawal or refusal to attend is an excused absence pursuant to
17	20-5-103.
18	(2) Any school implementing or maintaining a curriculum, providing materials, or holding an event or
19	assembly at which the district provides human sexuality instruction, whether introduced by school educators,
20	administrators, or officials or by guests invited at the request of the school, shall adopt a policy ensuring
21	parental or guardian notification no less than 48 hours prior to holding an event or assembly or introducing
22	materials for instructional use.
23	(3)(2) A school district shall annually notify the parent or guardian of each student scheduled to be
24	enrolled in human sexuality instruction in the district or school in advance of the instruction of:
25	(a) the basic content of the district's or school's human sexuality instruction intended to be taught
26	to the student; and
27	(b) the parent's or guardian's right to withdraw the student from the district's or school's human
28	sexuality instruction.



1	(4)(3) A school district shall make all curriculum materials used in the district's or school's human
2	sexuality instruction available for public inspection prior to the use of the materials in actual instruction.
3	(5)(4) A school district or its personnel or agents may not permit a person, entity, or any affiliate or
4	agent of the person or entity to offer, sponsor, or furnish in any manner any course materials or instruction
5	relating to human sexuality or sexually transmitted diseases to its students or personnel if the person, entity, or
6	any affiliate or agent of the person or entity is a provider of abortion services.
7	(6)(5) For the purposes of this section, "human sexuality instruction" means teaching or otherwise
8	providing information about human sexuality, including intimate relationships, human sexual anatomy, sexual
9	reproduction, sexually transmitted infections, sexual acts, sexual orientation, gender identity, abstinence, or
10	contraception, or reproductive rights and responsibilities in a science or health enhancement course in which,
11	pursuant to federal law, students are separated by sex or are allowed to be separated by sex for the
12	instruction."
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14	NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.
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