

IN THE SENATE

SENATE BILL NO. 1071, As Amended

BY EDUCATION COMMITTEE

AN ACT

1
2 RELATING TO EDUCATION; AMENDING SECTION 33-1611, IDAHO CODE, TO PROHIBIT IN-
3 STRUCTION ON HUMAN SEXUALITY, SEXUAL ORIENTATION, AND GENDER IDENTITY
4 PRIOR TO FIFTH GRADE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-
5 TIVE DATE.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 33-1611, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-1611. EXCUSING CHILDREN FROM INSTRUCTION IN SEX EDUCATION -- IN-
10 STRUCTION TO BEGIN AT APPROPRIATE AGE. (1) Any parent or legal guardian who
11 wishes to have his child excused from any planned instruction in sex edu-
12 cation may do so upon filing a written request to the school district board
13 of trustees and the board of trustees shall make available the appropriate
14 forms for such request. Alternative educational endeavors shall be provided
15 for those excused.

16 (2) Instruction by school personnel or third parties on human sexual-
17 ity, sexual orientation, or gender identity may not occur prior to grade 5.
18 Nothing in this subsection shall be implied to grant authority or require the
19 teaching of these subjects for grade 5 and above.

20 SECTION 2. An emergency existing therefor, which emergency is hereby
21 declared to exist, this act shall be in full force and effect on and after
22 July 1, 2023.