

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 476

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-8707, IDAHO CODE, TO PROHIBIT ABORTION PROVIDERS FROM FURNISHING MATERIALS OR INSTRUCTION RELATING TO SEX EDUCATION CURRICULA AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 18-8707, Idaho Code, be, and the same is hereby amended to read as follows:

18-8707. ABORTION-RELATED ACTIVITIES PROHIBITED IN SCHOOL-BASED HEALTH CLINICS AND SEX EDUCATION CURRICULA. (1) No facility operated at a public institution of higher education or operated by a public school district shall provide any of the following services to any person:

- (a) Providing or performing an abortion;
- (b) Counseling in favor of abortion;
- (c) Referring for abortion; or
- (d) Dispensing a drug classified as emergency contraception by the food and drug administration (FDA), except in the case of rape as defined in section 18-6101, Idaho Code.

(2) No employee of a public institution of higher education or a public school, acting within the scope of such person's employment, shall provide any of the following services to any person:

- (a) Providing or performing an abortion;
- (b) Counseling in favor of abortion;
- (c) Referring for abortion; or
- (d) Dispensing a drug classified as emergency contraception by the FDA, except in the case of rape as defined in section 18-6101, Idaho Code.

(3) The state department of education, state board of education, ~~or~~ and other state agencies and local units of administration are prohibited from using state funds to provide or procure an abortion or distribute drugs classified as emergency contraception by the FDA, except in the case of rape as defined in section 18-6101, Idaho Code.

(4) No public school district shall allow any individual or organization that is a provider of abortion, as defined in section 18-604, Idaho Code, to furnish any materials or instruction relating to sex education curricula.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2024.