

18A:35-4.19

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 303
NJSA: 18A:35-4.19 (Stressing abstinence in sex education in schools)
BILL NO: A792 (Substituted for S868)

SPONSOR(S): Crecco

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY** Education

SENATE Education

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** October 30, 2000

SENATE: December 17, 2001

DATE OF APPROVAL: January 2, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Original version of bill enacted)

A792

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S868

SPONSORS STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

	SENATE:	Yes
FLOOR AMENDMENT STATEMENTS:		No
LEGISLATIVE FISCAL ESTIMATE:		No
VETO MESSAGE:		No
GOVERNOR'S PRESS RELEASE ON SIGNING:		No

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Yes

“DiFrancesco signs sex abstinence, nurse overtime bills,” 1-3-2002 Star Ledger, p.20

“Abstinence emphasis required in classrooms,” 1-3-2002 The Times, p.A8

“Law requires stressing abstinence...”1-3-2002 Philadelphia Inquirer, p.B5

ASSEMBLY, No. 792

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblywoman MARION CRECCO

District 34 (Essex and Passaic)

Co-Sponsored by:

Assemblyman Gibson

SYNOPSIS

Requires public school sex education and AIDS education programs to stress abstinence.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the school curriculum and supplementing chapter
2 35 of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known as the "AIDS Prevention Act of 1999."

8

9 2. Any sex education that is given as part of any planned course,
10 curriculum or other instructional program and that is intended to
11 impart information or promote discussion or understanding in regard
12 to human sexual behavior, sexual feelings and sexual values, human
13 sexuality and reproduction, pregnancy avoidance or termination, HIV
14 infection or sexually transmitted diseases, regardless of whether such
15 instruction is described as, or incorporated into a description of "sex
16 education," "family life education," "family health education," "health
17 education," "family living," "health," "self esteem," or any other
18 course, curriculum program or goal of education, and any materials
19 including, but not limited, to handouts, speakers, notes or audiovisuals
20 presented on school property concerning methods for the prevention
21 of acquired immune deficiency syndrome (HIV/AIDS), other sexually
22 transmitted diseases and of avoiding pregnancy, shall stress that
23 abstinence from sexual activity is the only completely reliable means
24 of eliminating the sexual transmission of HIV/AIDS and other sexually
25 transmitted diseases and of avoiding pregnancy.

26

27 3. The board of education shall include in its family life and
28 HIV/AIDS curriculum instruction on reasons, skills and strategies for
29 remaining or becoming abstinent from sexual activity. Any instruction
30 concerning the use of contraceptives or prophylactics such as condoms
31 shall also include information on their failure rates for preventing
32 pregnancy, HIV and other sexually transmitted diseases in actual use
33 among adolescent populations and shall clearly explain the difference
34 between risk reduction through the use of such devices and risk
35 elimination through abstinence.

36

37 4. In addition, any course, program or material concerning methods
38 for the prevention of HIV/AIDS shall stress the importance of
39 avoiding intravenous drug use.

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41 5. This act shall take effect immediately.

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STATEMENT

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46 This bill provides that any public school program or course in sex
47 education and any materials presented on school property including,

1 but not limited to, handouts, speakers or audiovisuals, concerning the
2 prevention of HIV infection and other sexually transmitted diseases
3 and on avoiding pregnancy must stress that abstinence from sexual
4 activity is the only completely reliable means of eliminating the sexual
5 transmission of HIV/AIDS and other sexually transmitted diseases and
6 of avoiding pregnancy.

7 The bill also requires a board of education to include within its
8 family life and HIV/AIDS curriculum instruction on reasons, skills, and
9 strategies for remaining or becoming abstinent from sexual activity.
10 Any instruction concerning the use of contraceptives, such as
11 condoms, must include information on their failure rates for preventing
12 pregnancy, HIV infection, and other sexually transmitted diseases in
13 actual use among adolescent populations. In addition, any course,
14 program or material concerning methods for the prevention of
15 HIV/AIDS must clearly state the importance of avoiding intravenous
16 drug use.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 792

STATE OF NEW JERSEY

DATED: OCTOBER 16, 2000

The Assembly Education Committee favorably reports Assembly Bill No. 792.

This bill provides that any public school program or course in sex education and any materials presented on school property including, but not limited to, handouts, speakers or audiovisuals, concerning the prevention of HIV infection and other sexually transmitted diseases and on avoiding pregnancy must stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

The bill also requires a board of education to include within its family life and HIV/AIDS curriculum instruction on reasons, skills, and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives, such as condoms, must include information on their failure rates for preventing pregnancy, HIV infection, and other sexually transmitted diseases in actual use among adolescent populations. In addition, any course, program or material concerning methods for the prevention of HIV/AIDS must clearly state the importance of avoiding intravenous drug use.

This bill was prefiled for introduction in the 2000 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 792

STATE OF NEW JERSEY

DATED: JUNE 14, 2001

The Senate Education Committee reports Assembly Bill No. 792 without recommendation.

This bill provides that any public school program or course in sex education and any materials presented on school property including, but not limited to, handouts, speakers or audiovisuals, concerning the prevention of HIV infection and other sexually transmitted diseases and on avoiding pregnancy must stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

The bill also requires a board of education to include within its family life and HIV/AIDS curriculum instruction on reasons, skills, and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives, such as condoms, must include information on their failure rates for preventing pregnancy, HIV infection, and other sexually transmitted diseases in actual use among adolescent populations. In addition, any course, program or material concerning methods for the prevention of HIV/AIDS must stress the importance of avoiding intravenous drug use.

As reported, this bill is identical to S-868 with Senate Education Committee amendments.

ASSEMBLY, No. 792

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblywoman MARION CRECCO

District 34 (Essex and Passaic)

Co-Sponsored by:

Assemblymen Gibson, Steele, Senators Cardinale, Bucco and Kyrillos

SYNOPSIS

Requires public school sex education and AIDS education programs to stress abstinence.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee with technical review.



(Sponsorship Updated As Of: 12/18/2001)

1 AN ACT concerning the school curriculum and supplementing chapter
2 35 of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known as the "AIDS Prevention Act of 1999."

8

9 2. Any sex education that is given as part of any planned course,
10 curriculum or other instructional program and that is intended to
11 impart information or promote discussion or understanding in regard
12 to human sexual behavior, sexual feelings and sexual values, human
13 sexuality and reproduction, pregnancy avoidance or termination, HIV
14 infection or sexually transmitted diseases, regardless of whether such
15 instruction is described as, or incorporated into a description of "sex
16 education," "family life education," "family health education," "health
17 education," "family living," "health," "self esteem," or any other
18 course, curriculum program or goal of education, and any materials
19 including, but not limited, to handouts, speakers, notes or audiovisuals
20 presented on school property concerning methods for the prevention
21 of acquired immune deficiency syndrome (HIV/AIDS), other sexually
22 transmitted diseases and of avoiding pregnancy, shall stress that
23 abstinence from sexual activity is the only completely reliable means
24 of eliminating the sexual transmission of HIV/AIDS and other sexually
25 transmitted diseases and of avoiding pregnancy.

26

27 3. The board of education shall include in its family life and
28 HIV/AIDS curriculum instruction on reasons, skills and strategies for
29 remaining or becoming abstinent from sexual activity. Any instruction
30 concerning the use of contraceptives or prophylactics such as condoms
31 shall also include information on their failure rates for preventing
32 pregnancy, HIV and other sexually transmitted diseases in actual use
33 among adolescent populations and shall clearly explain the difference
34 between risk reduction through the use of such devices and risk
35 elimination through abstinence.

36

37 4. In addition, any course, program or material concerning methods
38 for the prevention of HIV/AIDS shall stress the importance of
39 avoiding intravenous drug use.

40

41 5. This act shall take effect immediately.

SENATE, No. 868

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JANUARY 31, 2000

Sponsored by:

Senator GERALD CARDINALE

District 39 (Bergen)

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Requires public school sex education and AIDS education programs to promote abstinence.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the school curriculum and supplementing chapter
2 35 of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known as the "AIDS Prevention Act of 2000."

8

9 2. Any sex education that is given as part of any planned course,
10 curriculum or other instructional program and that is intended to
11 impart information or promote discussion or understanding in regard
12 to human sexual behavior, sexual feelings and sexual values, human
13 sexuality and reproduction, pregnancy avoidance or termination, HIV
14 infection or sexually transmitted diseases, regardless of whether such
15 instruction is described as, or incorporated into a description of "sex
16 education," "family life education," "family health education," "health
17 education," "family living," "health," "self esteem," or any other
18 course, curriculum program or goal of education, and any materials,
19 including but not limited to handouts, speakers, notes or audiovisuals
20 presented on school property concerning methods for the prevention
21 of acquired immune deficiency syndrome (HIV/AIDS), other sexually
22 transmitted diseases and of avoiding pregnancy, shall clearly state that
23 abstinence from sexual activity is the only completely reliable means
24 of eliminating the sexual transmission of HIV/AIDS and other sexually
25 transmitted diseases and of avoiding pregnancy.

26

27 3. The board of education shall include in its family life and
28 HIV/AIDS curriculum instruction on reasons, skills and strategies for
29 remaining or becoming abstinent from sexual activity. Any instruction
30 concerning the use of contraceptives or prophylactics such as condoms
31 shall also include information on their failure rates for preventing
32 pregnancy, HIV and other sexually transmitted diseases in actual use
33 among adolescent populations and shall clearly explain the difference
34 between risk reduction through the use of such devices and risk
35 elimination through abstinence.

36

37 4. In addition, any course, program or material concerning methods
38 for the prevention of HIV/AIDS shall stress the importance of
39 avoiding intravenous drug use.

40

41 5. This act shall take effect immediately.

STATEMENT

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2

3 This bill provides that any public school program or course in sex
4 education and any materials distributed to students on school property
5 on the prevention of HIV infection and other sexually transmitted
6 diseases and on avoiding pregnancy shall clearly state that abstinence
7 from sexual activity is the only completely reliable means of
8 eliminating the sexual transmission of HIV/AIDS and other sexually
9 transmitted diseases and of avoiding pregnancy.

10 The bill also requires a board of education to include within its
11 family life and HIV/AIDS curriculum instruction on reasons, skills, and
12 strategies for remaining or becoming abstinent from sexual activity.
13 Also, any instruction concerning the use of contraceptives such as
14 condoms must include information on their failure rates for preventing
15 pregnancy, HIV infection, and other sexually transmitted diseases in
16 actual use among adolescent populations. In addition any course,
17 program or material concerning methods for the prevention of
18 HIV/AIDS shall clearly state the importance of avoiding intravenous
19 drug use.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 868

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2001

The Senate Education Committee reports Senate Bill No. 868 with amendments and without recommendation.

As amended, this bill provides that any public school program or course in sex education and any materials presented on school property including, but not limited to, handouts, speakers or audiovisuals, concerning the prevention of HIV infection and other sexually transmitted diseases and on avoiding pregnancy must stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

The bill also requires a board of education to include within its family life and HIV/AIDS curriculum instruction on reasons, skills, and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives, such as condoms, must include information on their failure rates for preventing pregnancy, HIV infection, and other sexually transmitted diseases in actual use among adolescent populations. In addition, any course, program or material concerning methods for the prevention of HIV/AIDS must stress the importance of avoiding intravenous drug use.

Amendments were adopted to change the date in the short title and to replace "clearly state" with "stress" in the text.

As reported, this bill is identical to A-792.

[First Reprint]

SENATE, No. 868

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JANUARY 31, 2000

Sponsored by:

Senator GERALD CARDINALE

District 39 (Bergen)

Senator ANTHONY R. BUCCO

District 25 (Morris)

Co-Sponsored by:

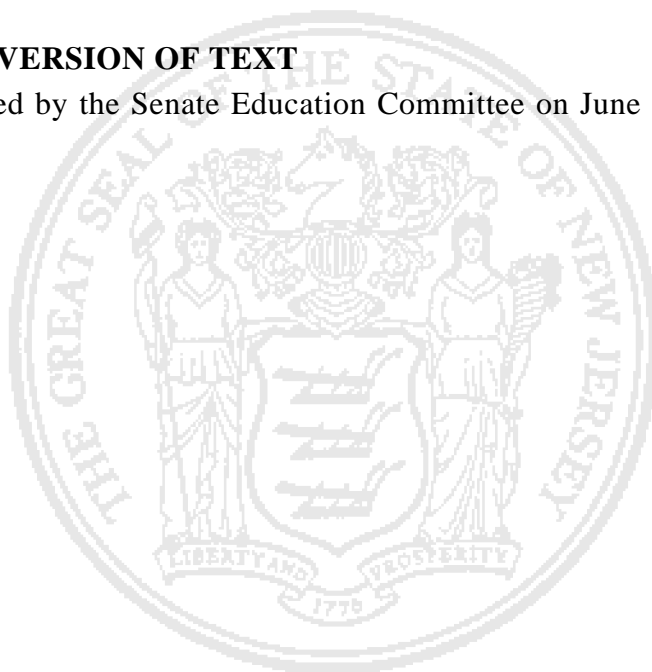
Senator Kyrillos

SYNOPSIS

Requires public school sex education and AIDS education programs to stress abstinence.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee on June 14, 2001, with amendments.



(Sponsorship Updated As Of: 12/18/2001)

1 AN ACT concerning the school curriculum and supplementing chapter
2 35 of Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. This act shall be known as the "AIDS Prevention Act of
8 ¹[2000] 1999¹."

9
10 2. Any sex education that is given as part of any planned course,
11 curriculum or other instructional program and that is intended to
12 impart information or promote discussion or understanding in regard
13 to human sexual behavior, sexual feelings and sexual values, human
14 sexuality and reproduction, pregnancy avoidance or termination, HIV
15 infection or sexually transmitted diseases, regardless of whether such
16 instruction is described as, or incorporated into a description of "sex
17 education," "family life education," "family health education," "health
18 education," "family living," "health," "self esteem," or any other
19 course, curriculum program or goal of education, and any materials,
20 including^{1,1} but not limited to^{1,1} handouts, speakers, notes or
21 audiovisuals presented on school property concerning methods for the
22 prevention of acquired immune deficiency syndrome (HIV/AIDS),
23 other sexually transmitted diseases and of avoiding pregnancy, shall
24 ¹[clearly state] stress¹ that abstinence from sexual activity is the only
25 completely reliable means of eliminating the sexual transmission of
26 HIV/AIDS and other sexually transmitted diseases and of avoiding
27 pregnancy.

28
29 3. The board of education shall include in its family life and
30 HIV/AIDS curriculum instruction on reasons, skills and strategies for
31 remaining or becoming abstinent from sexual activity. Any instruction
32 concerning the use of contraceptives or prophylactics such as condoms
33 shall also include information on their failure rates for preventing
34 pregnancy, HIV and other sexually transmitted diseases in actual use
35 among adolescent populations and shall clearly explain the difference
36 between risk reduction through the use of such devices and risk
37 elimination through abstinence.

38
39 4. In addition, any course, program or material concerning methods
40 for the prevention of HIV/AIDS shall stress the importance of
41 avoiding intravenous drug use.

42
43 5. This act shall take effect immediately.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted June 14, 2001.

P.L. 2001, CHAPTER 303, *approved January 2, 2002*
Assembly, No. 792

1 **AN ACT** concerning the school curriculum and supplementing chapter
2 35 of Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. This act shall be known as the "AIDS Prevention Act of 1999."
8

9 2. Any sex education that is given as part of any planned course,
10 curriculum or other instructional program and that is intended to
11 impart information or promote discussion or understanding in regard
12 to human sexual behavior, sexual feelings and sexual values, human
13 sexuality and reproduction, pregnancy avoidance or termination, HIV
14 infection or sexually transmitted diseases, regardless of whether such
15 instruction is described as, or incorporated into a description of "sex
16 education," "family life education," "family health education," "health
17 education," "family living," "health," "self esteem," or any other
18 course, curriculum program or goal of education, and any materials
19 including, but not limited, to handouts, speakers, notes or audiovisuals
20 presented on school property concerning methods for the prevention
21 of acquired immune deficiency syndrome (HIV/AIDS), other sexually
22 transmitted diseases and of avoiding pregnancy, shall stress that
23 abstinence from sexual activity is the only completely reliable means
24 of eliminating the sexual transmission of HIV/AIDS and other sexually
25 transmitted diseases and of avoiding pregnancy.

26
27 3. The board of education shall include in its family life and
28 HIV/AIDS curriculum instruction on reasons, skills and strategies for
29 remaining or becoming abstinent from sexual activity. Any instruction
30 concerning the use of contraceptives or prophylactics such as condoms
31 shall also include information on their failure rates for preventing
32 pregnancy, HIV and other sexually transmitted diseases in actual use
33 among adolescent populations and shall clearly explain the difference
34 between risk reduction through the use of such devices and risk
35 elimination through abstinence.

36
37 4. In addition, any course, program or material concerning methods
38 for the prevention of HIV/AIDS shall stress the importance of
39 avoiding intravenous drug use.

40
41 5. This act shall take effect immediately.
42

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45 _____
46 Requires public school sex education and AIDS education programs
to stress abstinence.

CHAPTER 303

AN ACT concerning the school curriculum and supplementing chapter 35 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:35-4.19 Short title.

1. This act shall be known as the "AIDS Prevention Act of 1999."

C.18A:35-4.20 Sex education programs to stress abstinence.

2. Any sex education that is given as part of any planned course, curriculum or other instructional program and that is intended to impart information or promote discussion or understanding in regard to human sexual behavior, sexual feelings and sexual values, human sexuality and reproduction, pregnancy avoidance or termination, HIV infection or sexually transmitted diseases, regardless of whether such instruction is described as, or incorporated into a description of "sex education," "family life education," "family health education," "health education," "family living," "health," "self esteem," or any other course, curriculum program or goal of education, and any materials including, but not limited, to handouts, speakers, notes or audiovisuals presented on school property concerning methods for the prevention of acquired immune deficiency syndrome (HIV/AIDS), other sexually transmitted diseases and of avoiding pregnancy, shall stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

C.18A:35-4.21 Abstinence from sexual activity stressed in curriculum.

3. The board of education shall include in its family life and HIV/AIDS curriculum instruction on reasons, skills and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives or prophylactics such as condoms shall also include information on their failure rates for preventing pregnancy, HIV and other sexually transmitted diseases in actual use among adolescent populations and shall clearly explain the difference between risk reduction through the use of such devices and risk elimination through abstinence.

C.18A:35-4.22 Avoidance of IV drug use stressed.

4. In addition, any course, program or material concerning methods for the prevention of HIV/AIDS shall stress the importance of avoiding intravenous drug use.

5. This act shall take effect immediately.

Approved January 2, 2002.