

2003 DRAFTING REQUEST

Bill

Received: **02/10/2004**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Christine Sinicki (608) 266-8588**

By/Representing: **Mary Beth George**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters: **dkennedy**

Subject: **Education - school boards
Health - abortion**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Rep.Sinicki@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School district human growth & development programs; require hospital to provide sexual assault victim with info and emergency contraception

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 02/11/2004	kgilfoy 02/12/2004		_____			S&L
/1			rschluet 02/12/2004	_____	sbasford 02/12/2004		S&L

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/2	dkennedy 02/20/2004	kgilfoy 02/20/2004	jfrantze 02/23/2004	_____	sbasford 02/23/2004		S&L
	pgrant 02/26/2004	kgilfoy 02/26/2004		_____			
/3			jfrantze 02/27/2004	_____	sbasford 02/27/2004	lnorthro 02/27/2004	

FE Sent For:

At Intro.

<END>

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/1		1/3-2/26 kmj	rschluet 02/12/2004		sbasford 02/12/2004		S&L

Handwritten signatures and dates:
 2/27 2/27

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/?	pgrant 02/11/2004	kgilfoy 02/12/2004					S&L
/1		12-2/20 Kmg	rschluet 02/12/2004		sbasford 02/12/2004		
			Jo 2/23	Jo/Re 2/23			

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Page 2

LRB-4241

FE Sent For:

<END>

2003 DRAFTING REQUEST

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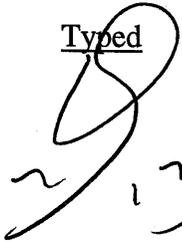
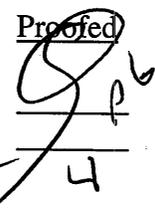
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1?	pgrant	1-2/12 Kmg					

FE Sent For:

<END>

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date February 10, 2004

Legislator, agency, or other person requesting this draft Rep. Christine Simich

Person submitting request (name and phone number) Mary Beth George (6-8588)

Persons to contact for questions about this draft (names and phone numbers) Mary Beth George (on whole)
Denn Warsunek (on AB 170 portion); ~~Fara Wobby (AB 387 portion)~~

Describe the problem, including any helpful examples. How do you want to solve the problem?

Please draft a new bill combining AB 170 in total and AB 387 with attached amendments to the sub amendment.

*Chris Taylor
256-7549
x225*

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

*(Planned
Amendment)*

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2001 LRB-2345/1 or 1999AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
 Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why Went approved
End of Session

Should we give this request priority over any pending request of this legislator, agency, or person?
 YES NO

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 387

October 6, 2003 - Offered by Representative RICHARDS.

1 AN ACT *to amend* 118.019 (1), 118.019 (2) (intro.), 118.019 (2) (a), 118.019 (2) (b),
2 118.019 (2) (c), 118.019 (2) (d), 118.019 (2) (e), 118.019 (2) (f), 118.019 (2m) and
3 118.019 (3); and *to create* 118.019 (2) (g) of the statutes; **relating to:** school
4 district human growth and development programs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 118.019 (1) of the statutes is amended to read:

6 118.019 (1) PURPOSE. The purpose of this section is to encourage all school
7 boards to make available to pupils instruction in topics related to human growth and
8 development in order to promote accurate and comprehensive knowledge in this area
9 and responsible decision making and, to support and enhance the efforts of parents
10 to provide moral guidance to their children, to promote abstinence from sexual
11 activity as the safest and best choice for pupils, and to include ^{comprehensive} medically accurate
12 information on family planning and contraception.

human ~~stability~~ ^{sex} sexuality education as set forth
in Wis. § 118.019 (2).

Definitions used in this section, insert 1

1 SECTION 2. 118.019 (2) (intro.) of the statutes is amended to read:

2 118.019 (2) SUBJECTS. (intro.) A school board may provide an instructional
3 program in human growth and development in grades kindergarten to 12. If
4 provided, the program shall offer information and instruction appropriate to each
5 grade level and the age and level of maturity of the pupils. Except as provided in sub.
6 (2m), the program ^{shall} ~~may~~ ^{all} include instruction ~~in any~~ of the following areas:

7 SECTION 3. 118.019 (2) (a) of the statutes is amended to read:

8 118.019 (2) (a) Self-esteem Instruction in self-esteem, responsible decision
9 making and personal responsibility related to family life, relationships, and sexual
10 behavior.

11 SECTION 4. 118.019 (2) (b) of the statutes is amended to read:

12 118.019 (2) (b) ~~Interpersonal~~ Instruction in interpersonal relationships,
13 including growth in respect and self-control.

14 SECTION 5. 118.019 (2) (c) of the statutes is amended to read:

15 118.019 (2) (c) ~~Discouragement of adolescent~~ Instruction in the social,
16 psychological, and health benefits of abstaining from sexual activity.

17 SECTION 6. 118.019 (2) (d) of the statutes is amended to read:

18 118.019 (2) (d) ~~Family~~ Instruction in family life and skills required of a parent.

19 SECTION 7. 118.019 (2) (e) of the statutes is amended to read:

20 118.019 (2) (e) ~~Human~~ Comprehensive, medically accurate instruction in
21 human sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a),
22 including natural family planning; ^{including emergency contraception} and contraception; sexually transmitted
23 diseases, including human immunodeficiency virus and acquired immunodeficiency
24 syndrome, and their prevention; prenatal development; childbirth; adoption;
25 available prenatal and postnatal support; and male and female responsibility.

1 **SECTION 8.** 118.019 (2) (f) of the statutes is amended to read:

2 118.019 (2) (f) ~~Sex~~ Instruction in sex stereotypes and, protective behavior
3 behaviors, sexual exploitation, and acquaintance rape.

4 **SECTION 9.** 118.019 (2) (g) of the statutes is created to read:

5 118.019 (2) (g) Instruction in the legal consequences of sexual contact with a
6 minor.

7 **SECTION 10.** 118.019 (2m) of the statutes is amended to read:

8 118.019 (2m) MARRIAGE AND PARENTAL RESPONSIBILITY. If a school board provides
9 instruction in any of the areas under sub. (2) (e), the school board shall also provide
10 instruction in marriage and parental responsibility, including financial
11 responsibility.

12 **SECTION 11.** 118.019 (3) of the statutes is amended to read:

13 118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS. Each school board that
14 provides an instructional program in human growth and development shall
15 annually provide the parents of each pupil enrolled in the school district with an
16 outline of the human growth and development curriculum used in the pupil's grade
17 level and information regarding how the parent may inspect the complete
18 curriculum and instructional materials. The school board shall make the complete
19 human growth and development curriculum and all instructional materials
20 available upon request for inspection at any time, including prior to their use in the
21 classroom. The human growth and development curriculum may include
22 assignments that provide parents with opportunities to communicate to their
23 children their expectations regarding the sexual behavior of their children.

24 **SECTION 12. Effective date.**

INSERT 1

Definitions used in this section:

“medically-accurate instruction in human sexuality” shall be defined as information that is supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies and ~~where~~ relevant, published in peer review journals.

Chris Taylor

soon

LRB-4242 li
PK & DAK:Kmg

2003 ASSEMBLY BILL 170

March 18, 2003 - Introduced by Representatives POCAN, BERCEAU, BLACK, BOYLE, HERL, KRUG, J. LEHMAN, MILLER, FLOUFF, POPE-ROBERTS, RICHARDS, SHILLING, SINICKI, TRAVIS, WASSEMAN, YOUNG and ZEPNICK, cosponsored by Senators RISSER, CARPENTER, CHVALA, ERPENBACH, JAUCH, MOORE and ROBSON. Referred to Committee on Health.

regulate

school district
human growth and
development programs
and

1 AN ACT to renumber 50.38 (1); to amend 50.38 (2); and to create 50.375 and
2 50.38 (1) (b) of the statutes; relating to: requiring a hospital to provide to an
3 alleged victim of sexual assault, with consent, information and emergency
4 contraception and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health and Family Services (DHFS) issues certificates of approval to hospitals that meet DHFS requirements and otherwise regulates approved hospitals.

This bill requires a hospital to do all of the following if it provides emergency services to an alleged victim of sexual assault and has obtained the victim's consent: 1) provide her with medically and factually accurate and unbiased written and oral information about emergency contraception; 2) orally inform her of her option to receive emergency contraception; and 3) provide emergency contraception immediately to her if she requests it. "Emergency contraception" is defined in the bill to be a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device that is approved by the federal Food and Drug Administration and that prevents a pregnancy after sexual intercourse. The definition of "emergency contraception" specifically excludes a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device of any nature that is prescribed to terminate the pregnancy of a woman who is known by the prescribing health care provider to be pregnant.

ASSEMBLY BILL 170

The bill also requires that a hospital that provides emergency care ensure that each hospital employee who provides care to an alleged victim of sexual assault have available medically and factually accurate and unbiased information about emergency contraception. DHFS must respond to complaints about violations of these requirements and must periodically review procedures of hospitals to determine whether they are in compliance. Violators of the requirements are subject to forfeitures. DHFS may, after providing notice to a hospital that has violated the requirements twice, suspend or revoke the hospital's certificate of approval and deny application for a new certificate of approval.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 50.375 of the statutes is created to read:

2 **50.375 Emergency contraception for alleged victims of sexual assault.**

3 **(1)** In this section:

4 (a) "Emergency contraception" means a drug, medicine, oral hormonal
5 compound, mixture, preparation, instrument, article, or device that is approved by
6 the federal food and drug administration and that prevents a pregnancy after sexual
7 intercourse. "Emergency contraception" does not include a drug, medicine, oral
8 hormonal compound, mixture, preparation, instrument, article, or device of any
9 nature that is prescribed to terminate the pregnancy of a woman who is known by
10 the prescribing licensed health care provider to be pregnant.

11 (b) "Sexual assault" means a violation of s. 940.225 (1), (2), or (3).

12 **(2)** A hospital that provides emergency services to an alleged victim of sexual
13 assault shall, after obtaining the consent of the victim, do all of the following:

14 (a) Provide to the victim medically and factually accurate and unbiased written
15 and oral information about emergency contraception.

INS.
2A

ASSEMBLY BILL 170

1 (b) Orally inform the victim of her option to receive emergency contraception
2 at the hospital.

3 (c) Provide emergency contraception immediately at the hospital to the victim
4 if she requests it.

5 (3) A hospital that provides emergency care shall ensure that each hospital
6 employee who provides care to an alleged victim of sexual assault has available
7 medically and factually accurate and unbiased information about emergency
8 contraception.

9 (4) The department shall respond to any complaint received by the department
10 concerning noncompliance by a hospital with the requirements of subs. (2) and (3)
11 and shall periodically review hospital procedures to determine whether a hospital
12 is in compliance with the requirements.

13 **SECTION 2.** 50.38 (1) of the statutes is renumbered 50.38 (1) (a).

14 **SECTION 3.** 50.38 (1) (b) of the statutes is created to read:

15 50.38 (1) (b) Whoever violates a requirement under s. 50.375 (2) or (3) may be
16 required to forfeit not less than \$2,500 nor more than \$5,000 for each violation. If
17 a hospital violates s. 50.375 (2) twice, the department may, after providing notice to
18 the hospital, suspend or revoke the hospital's certificate of approval and may deny
19 application for a new certificate of approval.

20 **SECTION 4.** 50.38 (2) of the statutes is amended to read:

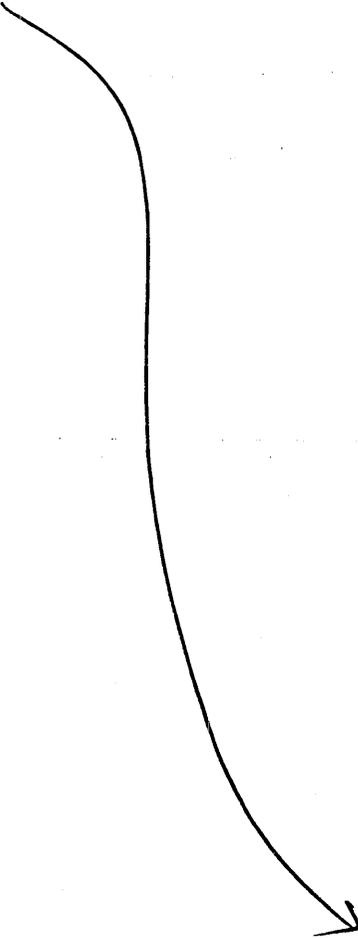
21 50.38 (2) The department may directly assess forfeitures provided for under
22 sub. (1) (a) or (b). If the department determines that a forfeiture should be assessed
23 for a particular violation, the department shall send a notice of assessment to the
24 hospital. The notice shall specify the amount of the forfeiture assessed, the violation

ASSEMBLY BILL 170

1 and the statute or rule alleged to have been violated, and shall inform the hospital
2 of the right to a hearing under sub. (3).

3

~~_____~~



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 387**

October 6, 2003 - Offered by Representative RICHARDS.

1 **AN ACT to amend** 118.019 (1), 118.019 (2) (intro.), 118.019 (2) (a), 118.019 (2) (b),
2 118.019 (2) (c), 118.019 (2) (d), 118.019 (2) (e), 118.019 (2) (f), 118.019 (2m) and
3 118.019 (3); and **to create** 118.019 (2) (g) of the statutes; **relating to:** school
4 district human growth and development programs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 118.019 (1) of the statutes is amended to read:

6 118.019 (1) PURPOSE. The purpose of this section is to encourage all school
7 boards to make available to pupils instruction in topics related to human growth and
8 development in order to promote accurate and comprehensive knowledge in this area
9 and responsible decision making and, to support and enhance the efforts of parents
10 to provide moral guidance to their children, to promote abstinence from sexual
11 activity as the safest and best choice for pupils, and to include medically accurate
12 information on family planning and contraception.

comprehensive education in
human sexuality

SECTION 2. 118.019 (2) (intro.) of the statutes is amended to read:

118.019 (2) SUBJECTS. (intro.) A school board may provide an instructional program in human growth and development in grades kindergarten to 12. If provided, the program shall offer information and instruction appropriate to each grade level and the age and level of maturity of the pupils. ~~Except as provided in sub.~~

^{and shall} ~~(2m), the program may include instruction in any~~ ^{all} of the following areas:

SECTION 3. 118.019 (2) (a) of the statutes is amended to read:

118.019 (2) (a) ~~Self-esteem~~ Instruction in self-esteem, responsible decision making and personal responsibility related to family life, relationships, and sexual behavior.

SECTION 4. 118.019 (2) (b) of the statutes is amended to read:

118.019 (2) (b) Interpersonal Instruction in interpersonal relationships, including growth in respect and self-control.

SECTION 5. 118.019 (2) (c) of the statutes is amended to read:

118.019 (2) (c) ~~Discouragement of adolescent~~ Instruction in the social, psychological, and health benefits of abstaining from sexual activity.

SECTION 6. 118.019 (2) (d) of the statutes is amended to read:

118.019 (2) (d) ~~Family~~ Instruction in family life and skills required of a parent.

SECTION 7. 118.019 (2) (e) of the statutes is amended to read:

118.019 (2) (e) Human Comprehensive, medically accurate instruction in human sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a), including natural family planning; and contraception; sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome, and their prevention; prenatal development; childbirth; adoption; available prenatal and postnatal support; and male and female responsibility.

ins. 2-25

, including emergency contraception

1 SECTION 8. 118.019 (2) (f) of the statutes is amended to read:

2 118.019 (2) (f) Sex Instruction in sex stereotypes and, protective behavior
3 behaviors, sexual exploitation, and acquaintance rape.

4 SECTION 9. 118.019 (2) (g) of the statutes is created to read:

5 118.019 (2) (g) Instruction in the legal consequences of sexual contact with a

6 minor.

SEC. #. 118.019 (2m) (title) of the statutes is repealed. renumbered 118.019 (2) (h) and

*Fix
CDMP on 2/12*

SECTION 10. 118.019 (2m) of the statutes is amended to read:

(2) (h)

8

118.019 (2m) ~~MARRIAGE AND PARENTAL RESPONSIBILITY~~ If a school board provides

9

~~instruction in any of the areas under sub. (2) (c), the school board shall also provide~~

10

Instruction
~~instruction~~ in marriage and parental responsibility, including financial
11 responsibility.

11

12

SECTION 11. 118.019 (3) of the statutes is amended to read:

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118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS. Each school board that

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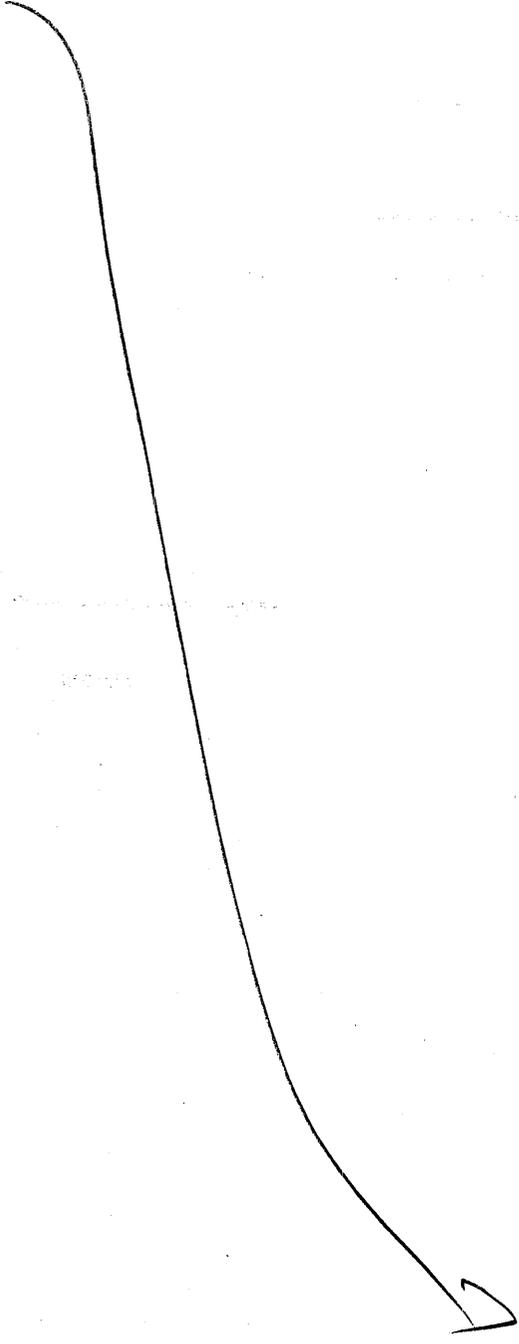
~~SECTION 12. Effective date.~~



1
2

(1) This act takes effect on September 1, 2004. ✓

(END)



EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective date.**

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective dates;**

..... This act takes effect on the day after publication, except as follows: , (b), (c), (d), (e), (f), and

(#1) The treatment of section 118.019 (1), (2) (intro), and (a) (g), ~~(b), (c), (d), (e), (f), and (g)~~ and (3) of the statutes takes effect on September 1, 2004. (End)

1. In the component bar: For the budget action phrase, execute:..**create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

SECTION 94 ____ . **Effective dates;**

(#1) () The treatment of sections of the statutes takes effect on

→ , the repeal of section 118.019 (2m) (title) of the statutes, and the renumbering and amendment of section 118.019 (2m) of the statutes

A1 ✓

provides that if a school board offers a human growth and development program, it must provide instruction in all specified areas.

The bill

A2 ✓

§4. The bill requires that instruction in human sexuality be comprehensive and medically accurate. The bill defines "medically accurate" to mean supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies, and ~~whose~~ ~~retirement~~ published in peer-reviewed journals.

2A

2003 ASSEMBLY BILL 387

June 5, 2003 - Introduced by Representatives RICHARDS, POPE-ROBERTS, MILLER, BERCEAU, BALOW, TAYLOR and PLOUFF, cosponsored by Senators RISSER and PLALE. Referred to Committee on Education.

1 **AN ACT to amend** 118.019 (1), 118.019 (2) (a), 118.019 (2) (b), 118.019 (2) (c),
 2 118.019 (2) (e), 118.019 (2) (f), 118.019 (2m) and 118.019 (3); and **to create**
 3 118.019 (2) (g) of the statutes; **relating to:** school district human growth and
 4 development programs.

Analysis by the Legislative Reference Bureau

Under current law, a school board may provide an instructional program in human growth and development in grades kindergarten to 12. The program may include instruction in a number of areas, including self-esteem, interpersonal relationships, human sexuality, family life, and sex stereotypes. This bill makes several changes in these areas, including the following:

1. Currently, a school board may include instruction in the discouragement of adolescent sexual activity. This bill provides instead that a school board ~~may include~~ ^{must} include instruction in the social, psychological, and health benefits of abstaining from sexual activity.
2. Current law authorizes a school board to include instruction in human immunodeficiency virus and acquired immunodeficiency syndrome. This bill ~~authorizes~~ a school board to include instruction in all sexually transmitted diseases.
3. The bill ~~authorizes~~ ^{requires} instruction relating to sexual exploitation, acquaintance rape, and the legal consequences of sexual contact with a minor.

A1

requires

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and marriage and family responsibility, including an article responsive to bill 19

ASSEMBLY BILL 387

The bill also provides that a human growth and development curriculum may include assignments that provide parents with opportunities to communicate to their children their expectations regarding the sexual behavior of their children.

*end of
A2*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.019 (1) of the statutes is amended to read:

118.019 (1) PURPOSE. The purpose of this section is to encourage all school boards to make available to pupils instruction in topics related to human growth and development in order to promote accurate and comprehensive knowledge in this area and responsible decision making and, to support and enhance the efforts of parents to provide moral guidance to their children, to promote abstinence from sexual activity as the safest and best choice for pupils, and to include accurate information on family planning and contraception.

SECTION 2. 118.019 (2) (a) of the statutes is amended to read:

118.019 (2) (a) Self-esteem, responsible decision making and personal responsibility related to family life, relationships, and sexual behavior.

SECTION 3. 118.019 (2) (b) of the statutes is amended to read:

118.019 (2) (b) Interpersonal relationships, including growth in respect and self-control.

SECTION 4. 118.019 (2) (c) of the statutes is amended to read:

118.019 (2) (c) ~~Discouragement of adolescent~~ The social, psychological, and health benefits of abstaining from sexual activity.

SECTION 5. 118.019 (2) (e) of the statutes is amended to read:

118.019 (2) (e) Human sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a), including natural family planning; sexually transmitted diseases,

2-25 ✓

In this paragraph, "medically accurate" means supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies, and ~~where relevant~~ published in peer-reviewed journals.

Kennedy, Debora

From: Grant, Peter
Sent: Thursday, February 19, 2004 11:57 AM
To: Kennedy, Debora; Kunkel, Mark
Subject: FW: Rep. Sinicki's recent bill request

FYI. I assume Mary Beth is referring to LRB-4241.

-----Original Message-----

From: George, Mary Beth
Sent: Thursday, February 19, 2004 11:52 AM
To: Grant, Peter
Subject: Rep. Sinicki's recent bill request

Peter --

Please add this provision to the bill in addition to the measures on emergency contraception and human development education.

"All hospitals licensed by the State of Wisconsin shall, during operating hours, have at least one health care provider available to prescribe contraception, including emergency contraception, to patients. All pharmacies licensed by the State of Wisconsin shall, during operating hours, have at least one pharmacist available who can fill birth control prescriptions, including prescriptions for emergency contraception, for patients."

Thanks.

Please e-mail questions.

Mary Beth George
Office of Rep. Sinicki
Marybeth.george@legis.state.wi.us



D-NOTE

2003 BILL

Handwritten note in a bubble: ; requiring the availability, in a hospital, of a practitioner to prescribe contraceptive articles; requiring the availability, in a pharmacy, of a pharmacist to dispense contraceptive articles;

1 AN ACT to repeal 118.019 (2m) (title); to renumber 50.38 (1); to renumber and
2 amend 118.019 (2m); to amend 50.38 (2), 118.019 (1), 118.019 (2) (intro.),
3 118.019 (2) (a), 118.019 (2) (b), 118.019 (2) (c), 118.019 (2) (d), 118.019 (2) (e),
4 118.019 (2) (f) and 118.019 (3); and to create 50.375, 50.38 (1) (b) and 118.019
5 (2) (g) of the statutes; relating to: school district human growth and
6 development programs ~~and~~ (requiring a hospital to provide to an alleged victim
7 of sexual assault, with consent, information and emergency contraception) and
8 providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health and Family Services (DHFS) issues certificates of approval to hospitals that meet DHFS requirements and otherwise regulates approved hospitals.
This bill requires a hospital to do all of the following if it provides emergency services to an alleged victim of sexual assault and has obtained the victim's consent: 1) provide her with medically and factually accurate and unbiased written and oral information about emergency contraception; 2) orally inform her of her option to receive emergency contraception; and 3) provide emergency contraception immediately to her if she requests it. "Emergency contraception" is defined in the

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contraceptive article

contraceptive article that prevents a pregnancy after sexual intercourse. "Contraceptive article" is defined to be a

bill to be a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device that is approved by the federal Food and Drug Administration ~~and that prevents a pregnancy after sexual intercourse.~~ The definition of "~~emergency contraception~~" specifically excludes a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device of any nature that is prescribed to terminate the pregnancy of a woman who is known by the prescribing ~~health care provider~~ to be pregnant.

The bill also requires that a hospital that provides emergency care ensure that each hospital employee who provides care to an alleged victim of sexual assault have available medically and factually accurate and unbiased information about emergency contraception. DHFS must respond to complaints about violations of these requirements and must periodically review procedures of hospitals to determine whether they are in compliance. Violators of the requirements are subject to forfeitures. DHFS may, after providing notice to a hospital that has violated the requirements twice, suspend or revoke the hospital's certificate of approval and deny application for a new certificate of approval.

Under current law, a school board may provide an instructional program in human growth and development in grades kindergarten to 12. The program may include instruction in a number of areas, including self-esteem, interpersonal relationships, human sexuality, family life, and sex stereotypes. This bill provides that, if a school board offers a human growth and development program, it must provide instructions in all specified areas. The bill makes several changes in these areas, including the following:

1. Currently, a school board may include instruction in the discouragement of adolescent sexual activity. This bill provides instead that a school board must include instruction in the social, psychological, and health benefits of abstaining from sexual activity.
2. Current law authorizes a school board to include instruction in human immunodeficiency virus and acquired immunodeficiency syndrome. This bill requires a school board to include instruction in all sexually transmitted diseases.
3. The bill requires instruction relating to sexual exploitation, acquaintance rape, the legal consequences of sexual contact with a minor, and marriage and family responsibility, including financial responsibility.
4. The bill requires that instruction in human sexuality be comprehensive and medically accurate. The bill defines "medically accurate" to mean supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies, and published in peer-reviewed journals.

The bill also provides that a human growth and development curriculum may include assignments that provide parents with opportunities to communicate to their children their expectations regarding the sexual behavior of their children.

practitioner

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and that may not be obtained without a prescription

for use to prevent

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 50.375 of the statutes is created to read:

2 **50.375 Emergency contraception for alleged victims of sexual assault.**

3 (1) In this section:

4 (a) "Emergency contraception" means a ~~drug, medicine, oral hormonal~~
5 ~~compound, mixture, preparation, instrument, article, or device that is approved by~~
6 ~~the federal food and drug administration and that prevents a pregnancy after sexual~~
7 ~~intercourse. "Emergency contraception" does not include a drug, medicine, oral~~
8 ~~hormonal compound, mixture, preparation, instrument, article, or device of any~~
9 ~~nature that is prescribed to terminate the pregnancy of a woman who is known by~~
10 ~~the prescribing licensed health care provider to be pregnant.~~

11 (b) "Sexual assault" means a violation of s. 940.225 (1), (2), or (3).

12 (2) A hospital that provides emergency services to an alleged victim of sexual
13 assault shall, after obtaining the consent of the victim, do all of the following:

14 (a) Provide to the victim medically and factually accurate and unbiased written
15 and oral information about emergency contraception.

16 (b) Orally inform the victim of her option to receive emergency contraception
17 at the hospital.

18 (c) Provide emergency contraception immediately at the hospital to the victim
19 if she requests it.

20 (3) A hospital that provides emergency care shall ensure that each hospital
21 employee who provides care to an alleged victim of sexual assault has available

contraceptive
article, as defined
in s. 50.376(1),

(a)

BILL

1 medically and factually accurate and unbiased information about emergency
2 contraception.

3 (4) The department shall respond to any complaint received by the department
4 concerning noncompliance by a hospital with the requirements of subs. (2) and (3)
5 and shall periodically review hospital procedures to determine whether a hospital
6 is in compliance with the requirements.

7 **SECTION 2.** 50.38 (1) of the statutes is renumbered 50.38 (1) (a).

8 **SECTION 3.** 50.38 (1) (b) of the statutes is created to read:

9 50.38 (1) (b) Whoever violates a requirement under s. 50.375 (2) or (3) may be
10 required to forfeit not less than \$2,500 nor more than \$5,000 for each violation. If
11 a hospital violates s. 50.375 (2) twice, the department may, after providing notice to
12 the hospital, suspend or revoke the hospital's certificate of approval and may deny
13 application for a new certificate of approval.

14 **SECTION 4.** 50.38 (2) of the statutes is amended to read:

15 50.38 (2) The department may directly assess forfeitures provided for under
16 sub. (1) (a) or (b). If the department determines that a forfeiture should be assessed
17 for a particular violation, the department shall send a notice of assessment to the
18 hospital. The notice shall specify the amount of the forfeiture assessed, the violation
19 and the statute or rule alleged to have been violated, and shall inform the hospital
20 of the right to a hearing under sub. (3).

21 **SECTION 5.** 118.019 (1) of the statutes is amended to read:

22 118.019 (1) PURPOSE. The purpose of this section is to encourage all school
23 boards to make available to pupils instruction in topics related to human growth and
24 development in order to promote accurate and comprehensive knowledge in this area
25 and responsible decision making and, to support and enhance the efforts of parents

BILL

1 to provide moral guidance to their children, to promote abstinence from sexual
2 activity as the safest and best choice for pupils, and to include comprehensive
3 education in human sexuality.

4 **SECTION 6.** 118.019 (2) (intro.) of the statutes is amended to read:

5 118.019 (2) SUBJECTS. (intro.) A school board may provide an instructional
6 program in human growth and development in grades kindergarten to 12. If
7 provided, the program shall offer information and instruction appropriate to each
8 grade level and the age and level of maturity of the pupils. ~~Except as provided in sub-~~
9 ~~(2m), the program may and shall include instruction in any all~~ of the following areas:

10 **SECTION 7.** 118.019 (2) (a) of the statutes is amended to read:

11 118.019 (2) (a) ~~Self-esteem~~ Instruction in self-esteem, responsible decision
12 making and personal responsibility related to family life, relationships, and sexual
13 behavior.

14 **SECTION 8.** 118.019 (2) (b) of the statutes is amended to read:

15 118.019 (2) (b) ~~Interpersonal~~ Instruction in interpersonal relationships,
16 including growth in respect and self-control.

17 **SECTION 9.** 118.019 (2) (c) of the statutes is amended to read:

18 118.019 (2) (c) ~~Discouragement of adolescent~~ Instruction in the social,
19 psychological, and health benefits of abstaining from sexual activity.

20 **SECTION 10.** 118.019 (2) (d) of the statutes is amended to read:

21 118.019 (2) (d) ~~Family~~ Instruction in family life and skills required of a parent.

22 **SECTION 11.** 118.019 (2) (e) of the statutes is amended to read:

23 118.019 (2) (e) ~~Human~~ Comprehensive, medically accurate instruction in
24 human sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a),
25 including natural family planning; and contraception, including emergency

BILL

1 contraception; sexually transmitted diseases, including human immunodeficiency
2 virus and acquired immunodeficiency syndrome, and their prevention; prenatal
3 development; childbirth; adoption; available prenatal and postnatal support; and
4 male and female responsibility. In this paragraph, “medically accurate” means
5 supported by research, recognized as accurate and objective by leading medical,
6 psychological, psychiatric, and public health organizations and agencies, and
7 published in peer-reviewed journals.

8 **SECTION 12.** 118.019 (2) (f) of the statutes is amended to read:

9 118.019 (2) (f) Sex Instruction in sex stereotypes and, protective behavior
10 behaviors, sexual exploitation, and acquaintance rape.

11 **SECTION 13.** 118.019 (2) (g) of the statutes is created to read:

12 118.019 (2) (g) Instruction in the legal consequences of sexual contact with a
13 minor.

14 **SECTION 14.** 118.019 (2m) (title) of the statutes is repealed.

15 **SECTION 15.** 118.019 (2m) of the statutes is renumbered 118.019 (2) (h) and
16 amended to read:

17 118.019 (2) (h) ~~If a school board provides instruction in any of the areas under~~
18 ~~sub. (2) (e), the school board shall also provide instruction~~ Instruction in marriage
19 and parental responsibility, including financial responsibility.

20 **SECTION 16.** 118.019 (3) of the statutes is amended to read:

21 118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS. Each school board that
22 provides an instructional program in human growth and development shall
23 annually provide the parents of each pupil enrolled in the school district with an
24 outline of the human growth and development curriculum used in the pupil's grade
25 level and information regarding how the parent may inspect the complete

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1 curriculum and instructional materials. The school board shall make the complete
 2 human growth and development curriculum and all instructional materials
 3 available upon request for inspection at any time, including prior to their use in the
 4 classroom. The human growth and development curriculum may include
 5 assignments that provide parents with opportunities to communicate to their
 6 children their expectations regarding the sexual behavior of their children.

✓
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 7-6

7 **SECTION 17. Effective dates.** This act takes effect on the day after publication,
 8 except as follows:

9 (1) The treatment of section 118.019 (1), (2) (intro.), and (a), (b), (c), (d), (e), (f),
 10 and (g), and (3) of the statutes, the repeal of section 118.019 (2m) (title) of the
 11 statutes, and the renumbering and amendment of section 118.019 (2m) of the
 12 statutes take effect on September 1, 2004.

13 (END)

D-NOTE

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Additionally, the bill requires that a hospital ensure that at least one person licensed to prescribe and administer drugs be available in the hospital to prescribe to a patient a contraceptive article, as defined in the bill, including emergency contraception.

Under current law, a pharmaceutical service may not be provided in a pharmacy unless a pharmacist is present to provide or supervise the service. This bill requires that a pharmacy ensure that at least one pharmacist is available in the pharmacy to dispense to a patient a contraceptive article, including emergency contraception.

INSERT 4-6

1 **SECTION 1.** 50.376 of the statutes is created to read:

2 **50.376 Availability to prescribe contraceptive articles.** (1) In this
3 section:

4 (a) "Contraceptive article" means a drug, medicine, mixture, preparation,
5 instrument, article, or device of any nature that is approved by the federal food and
6 drug administration for use to prevent a pregnancy, that is prescribed by a
7 practitioner, as defined in s. 450.01 (17)✓, for use to prevent a pregnancy, and that may
8 not be obtained without a prescription from a practitioner. "Contraceptive article"
9 does not include any drug, medicine, mixture, preparation, instrument, article, or
10 device of any nature prescribed for use in terminating the pregnancy of a woman who
11 is known by the prescribing practitioner to be pregnant.

12 (b) "Emergency contraception" means a contraceptive article that prevents a
13 pregnancy after sexual intercourse.

14 (2) A hospital shall ensure that at least one practitioner, as defined in s. 450.01
15 (17)✓, is available on the hospital premises to prescribe to a patient a contraceptive
16 article, including emergency contraception.

✓ INSERT ~~§ 7-6~~ 7-6

1 SECTION 2. 450.09 (2) of the statutes is amended to read:

2 450.09 (2) PRESENCE OF PHARMACIST. No pharmaceutical service may be
3 provided to any person unless a pharmacist is present in the pharmacy to provide or
4 supervise the service. An operator of a pharmacy shall ensure that at least one
5 pharmacist is available on the pharmacy premises to dispense to a patient a
6 contraceptive article, as defined in s. 40.376 (1) (a), including emergency
7 contraception, as defined in s. 50.376 (1) (b).

History: 1985 a. 146; 2003 a. 54.

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D-NOTE

:Kmg:

To Representative Sinicki:

1. I did not include "during operating hours" in s. 50.376 (2), as proposed, because a hospital operates on a 24-hour per day basis.

2. Violation of s. 450.09 (2) is subject ^{under current law,} to a forfeiture of not less than \$25 nor more than \$50 for each separate offense; each day of violation constitutes a separate offense. No forfeiture is specified for a violation of s. 50.376 ^{as created} in the bill; therefore, a forfeiture not to exceed \$200 applies to a violation, under s. 939.61 (1), Stats.

DAK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4241/2dn
DAK:kmg:jf

February 23, 2004

To Representative Sinicki:

1. I did not include "during operating hours" in s. 50.376 (2), as proposed, because a hospital operates on a 24-hour per day basis.
2. Violation of s. 450.09 (2) is subject, under current law, to a forfeiture of not less than \$25 nor more than \$50 for each separate offense; each day of violation constitutes a separate offense. No forfeiture is specified for a violation of s. 50.376, as created in the bill; therefore, a forfeiture not to exceed \$200 applies to a violation, under s. 939.61 (1), stats.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Grant, Peter

From: George, Mary Beth
Sent: Thursday, February 26, 2004 4:27 PM
To: Grant, Peter
Subject: FW: Comprehensive bill
Importance: High

Peter -- Please add the changes underlined below to LRB 4241.

Thank you.

Mary Beth George
Office Of State Rep. Christine Sinicki
P.O. Box 8953, Madison WI 53708-8953
marybeth.george@legis.state.wi.us

-----Original Message-----

From: Taylor, Chris [mailto:Chris.Taylor@ppwi.org]
Sent: Thursday, February 26, 2004 4:24 PM
To: 'George, Mary Beth'
Subject: Comprehensive bill

The only change I have is as follows:

P. 6, line 24, "definition of "medically accurate". My additions are underlined:

In this paragraph, "medically accurate" means supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, and published in peer-reviewed journals.

500m

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pp. 2, 3, 6

2003 BILL

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AN ACT to repeal 118.019 (2m) (title); to renumber 50.38 (1); to renumber and amend 118.019 (2m); to amend 50.38 (2), 118.019 (1), 118.019 (2) (intro.), 118.019 (2) (a), 118.019 (2) (b), 118.019 (2) (c), 118.019 (2) (d), 118.019 (2) (e), 118.019 (2) (f), 118.019 (3) and 450.09 (2); and to create 50.375, 50.376, 50.38 (1) (b) and 118.019 (2) (g) of the statutes; relating to: school district human growth and development programs; requiring a hospital to provide to an alleged victim of sexual assault, with consent, information and emergency contraception; requiring the availability, in a hospital, of a practitioner to prescribe contraceptive articles; requiring the availability, in a pharmacy, of a pharmacist to dispense contraceptive articles; and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health and Family Services (DHFS) issues certificates of approval to hospitals that meet DHFS requirements and otherwise regulates approved hospitals.

This bill requires a hospital to do all of the following if it provides emergency services to an alleged victim of sexual assault and has obtained the victim's consent:

BILL

1) provide her with medically and factually accurate and unbiased written and oral information about emergency contraception; 2) orally inform her of her option to receive emergency contraception; and 3) provide emergency contraception immediately to her if she requests it. "Emergency contraception" is defined in the bill to be a contraceptive article that prevents a pregnancy after sexual intercourse. "Contraceptive article" is defined to be a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device that is approved by the federal Food and Drug Administration for use to prevent a pregnancy and that may not be obtained without a prescription. The definition of "contraceptive article" specifically excludes a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device of any nature that is prescribed to terminate the pregnancy of a woman who is known by the prescribing practitioner to be pregnant.

The bill also requires that a hospital that provides emergency care ensure that each hospital employee who provides care to an alleged victim of sexual assault have available medically and factually accurate and unbiased information about emergency contraception. DHFS must respond to complaints about violations of these requirements and must periodically review procedures of hospitals to determine whether they are in compliance. Violators of the requirements are subject to forfeitures. DHFS may, after providing notice to a hospital that has violated the requirements twice, suspend or revoke the hospital's certificate of approval and deny application for a new certificate of approval.

Additionally, the bill requires that a hospital ensure that at least one person licensed to prescribe and administer drugs be available in the hospital to prescribe to a patient a contraceptive article, as defined in the bill, including emergency contraception.

Under current law, a pharmaceutical service may not be provided in a pharmacy unless a pharmacist is present to provide or supervise the service. This bill requires that a pharmacy ensure that at least one pharmacist is available in the pharmacy to dispense to a patient a contraceptive article, including emergency contraception.

Under current law, a school board may provide an instructional program in human growth and development in grades kindergarten to 12. The program may include instruction in a number of areas, including self-esteem, interpersonal relationships, human sexuality, family life, and sex stereotypes. This bill provides that, if a school board offers a human growth and development program, it must provide instructions in all specified areas. The bill makes several changes in these areas, including the following:

1. Currently, a school board may include instruction in the discouragement of adolescent sexual activity. This bill provides instead that a school board must include instruction in the social, psychological, and health benefits of abstaining from sexual activity.

2. Current law authorizes a school board to include instruction in human immunodeficiency virus and acquired immunodeficiency syndrome. This bill requires a school board to include instruction in all sexually transmitted diseases.

BILL

with expertise in the relevant field

3. The bill requires instruction relating to sexual exploitation, acquaintance rape, the legal consequences of sexual contact with a minor, and marriage and family responsibility, including financial responsibility.

4. The bill requires that instruction in human sexuality be comprehensive and medically accurate. The bill defines "medically accurate" to mean supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric, and public health organizations and agencies, and published in peer-reviewed journals.

The bill also provides that a human growth and development curriculum may include assignments that provide parents with opportunities to communicate to their children their expectations regarding the sexual behavior of their children.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 50.375 of the statutes is created to read:

2 **50.375 Emergency contraception for alleged victims of sexual assault.**

3 **(1)** In this section:

4 (a) "Emergency contraception" means a contraceptive article, as defined in s.
5 50.376 (1) (a), that prevents a pregnancy after sexual intercourse.

6 (b) "Sexual assault" means a violation of s. 940.225 (1), (2), or (3).

7 **(2)** A hospital that provides emergency services to an alleged victim of sexual
8 assault shall, after obtaining the consent of the victim, do all of the following: ...

9 (a) Provide to the victim medically and factually accurate and unbiased written
10 and oral information about emergency contraception.

11 (b) Orally inform the victim of her option to receive emergency contraception
12 at the hospital.

13 (c) Provide emergency contraception immediately at the hospital to the victim
14 if she requests it.

BILL

1 (3) A hospital that provides emergency care shall ensure that each hospital
2 employee who provides care to an alleged victim of sexual assault has available
3 medically and factually accurate and unbiased information about emergency
4 contraception.

5 (4) The department shall respond to any complaint received by the department
6 concerning noncompliance by a hospital with the requirements of subs. (2) and (3)
7 and shall periodically review hospital procedures to determine whether a hospital
8 is in compliance with the requirements.

9 **SECTION 2.** 50.376 of the statutes is created to read:

10 **50.376 Availability to prescribe contraceptive articles.** (1) In this
11 section:

12 (a) "Contraceptive article" means a drug, medicine, mixture, preparation,
13 instrument, article, or device of any nature that is approved by the federal food and
14 drug administration for use to prevent a pregnancy, that is prescribed by a
15 practitioner, as defined in s. 450.01 (17), for use to prevent a pregnancy, and that may
16 not be obtained without a prescription from a practitioner. "Contraceptive article"
17 does not include any drug, medicine, mixture, preparation, instrument, article, or
18 device of any nature prescribed for use in terminating the pregnancy of a woman who
19 is known by the prescribing practitioner to be pregnant.

20 (b) "Emergency contraception" means a contraceptive article that prevents a
21 pregnancy after sexual intercourse.

22 (2) A hospital shall ensure that at least one practitioner, as defined in s. 450.01
23 (17), is available on the hospital premises to prescribe to a patient a contraceptive
24 article, including emergency contraception.

25 **SECTION 3.** 50.38 (1) of the statutes is renumbered 50.38 (1) (a).

BILL

1 **SECTION 4.** 50.38 (1) (b) of the statutes is created to read:

2 50.38 (1) (b) Whoever violates a requirement under s. 50.375 (2) or (3) may be
3 required to forfeit not less than \$2,500 nor more than \$5,000 for each violation. If
4 a hospital violates s. 50.375 (2) twice, the department may, after providing notice to
5 the hospital, suspend or revoke the hospital's certificate of approval and may deny
6 application for a new certificate of approval.

7 **SECTION 5.** 50.38 (2) of the statutes is amended to read:

8 50.38 (2) The department may directly assess forfeitures provided for under
9 sub. (1) (a) or (b). If the department determines that a forfeiture should be assessed
10 for a particular violation, the department shall send a notice of assessment to the
11 hospital. The notice shall specify the amount of the forfeiture assessed, the violation
12 and the statute or rule alleged to have been violated, and shall inform the hospital
13 of the right to a hearing under sub. (3).

14 **SECTION 6.** 118.019 (1) of the statutes is amended to read:

15 118.019 (1) **PURPOSE.** The purpose of this section is to encourage all school
16 boards to make available to pupils instruction in topics related to human growth and
17 development in order to promote accurate and comprehensive knowledge in this area
18 and responsible decision making and, to support and enhance the efforts of parents
19 to provide moral guidance to their children, to promote abstinence from sexual
20 activity as the safest and best choice for pupils, and to include comprehensive
21 education in human sexuality.

22 **SECTION 7.** 118.019 (2) (intro.) of the statutes is amended to read:

23 118.019 (2) **SUBJECTS.** (intro.) A school board may provide an instructional
24 program in human growth and development in grades kindergarten to 12. If
25 provided, the program shall offer information and instruction appropriate to each

BILL

1 grade level and the age and level of maturity of the pupils. ~~Except as provided in sub-~~
2 ~~(2m), the program may and shall include instruction in any all~~ of the following areas:

3 **SECTION 8.** 118.019 (2) (a) of the statutes is amended to read:

4 118.019 (2) (a) ~~Self-esteem~~ Instruction in self-esteem, responsible decision
5 making and personal responsibility related to family life, relationships, and sexual
6 behavior.

7 **SECTION 9.** 118.019 (2) (b) of the statutes is amended to read:

8 118.019 (2) (b) ~~Interpersonal~~ Instruction in interpersonal relationships,
9 including growth in respect and self-control.

10 **SECTION 10.** 118.019 (2) (c) of the statutes is amended to read:

11 118.019 (2) (c) ~~Discouragement of adolescent~~ Instruction in the social,
12 psychological, and health benefits of abstaining from sexual activity.

13 **SECTION 11.** 118.019 (2) (d) of the statutes is amended to read:

14 118.019 (2) (d) ~~Family~~ Instruction in family life and skills required of a parent.

15 **SECTION 12.** 118.019 (2) (e) of the statutes is amended to read:

16 118.019 (2) (e) ~~Human~~ Comprehensive, medically accurate instruction in
17 human sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a),
18 including natural family planning; and contraception, including emergency
19 contraception; sexually transmitted diseases, including human immunodeficiency
20 virus and acquired immunodeficiency syndrome, and their prevention; prenatal
21 development; childbirth; adoption; available prenatal and postnatal support; and
22 male and female responsibility. In this paragraph, "medically accurate" means
23 supported by research, recognized as accurate and objective by leading medical,
24 psychological, psychiatric, and public health organizations and agencies, and
25 published in peer-reviewed journals.

*with expertise in the relevant field,
such as the federal Centers for Disease Control
and Prevention, the American Public Health Association, the
American Academy of Pediatrics, and the American College of
Obstetricians and Gynecologists*

BILL

1 **SECTION 13.** 118.019 (2) (f) of the statutes is amended to read:

2 118.019 (2) (f) ~~Sex Instruction in sex stereotypes and, protective behavior~~
3 ~~behaviors, sexual exploitation, and acquaintance rape.~~

4 **SECTION 14.** 118.019 (2) (g) of the statutes is created to read:

5 118.019 (2) (g) Instruction in the legal consequences of sexual contact with a
6 minor.

7 **SECTION 15.** 118.019 (2m) (title) of the statutes is repealed.

8 **SECTION 16.** 118.019 (2m) of the statutes is renumbered 118.019 (2) (h) and
9 amended to read:

10 118.019 (2) (h) ~~If a school board provides instruction in any of the areas under~~
11 ~~sub. (2) (e), the school board shall also provide instruction~~ Instruction in marriage
12 and parental responsibility, including financial responsibility.

13 **SECTION 17.** 118.019 (3) of the statutes is amended to read:

14 118.019 (3) DISTRIBUTION OF CURRICULUM TO PARENTS. Each school board that
15 provides an instructional program in human growth and development shall
16 annually provide the parents of each pupil enrolled in the school district with an
17 outline of the human growth and development curriculum used in the pupil's grade
18 level and information regarding how the parent may inspect the complete
19 curriculum and instructional materials. The school board shall make the complete
20 human growth and development curriculum and all instructional materials
21 available upon request for inspection at any time, including prior to their use in the
22 classroom. The human growth and development curriculum may include
23 assignments that provide parents with opportunities to communicate to their
24 children their expectations regarding the sexual behavior of their children.

25 **SECTION 18.** 450.09 (2) of the statutes is amended to read:

Northrop, Lori

From: George, Mary Beth
Sent: Friday, February 27, 2004 12:34 PM
To: LRB.Legal
Subject: Please Jacket attached LRB draft



03-42413.pdf

(4241/3)

Mary Beth George
Office Of State Rep. Christine Sinicki
P.O. Box 8953, Madison WI 53708-8953
marybeth.george@legis.state.wi.us