
HOUSE BILL 1628

State of Washington

55th Legislature

1997 Regular Session

By Representatives Boldt, Koster, Sheahan, McMorris, Crouse, D. Sommers, Lambert, Dunn, Mulliken, Smith, Johnson, D. Schmidt, Bush, Schoesler and Backlund

Read first time 02/03/97. Referred to Committee on Health Care.

1 AN ACT Relating to abstinence education; adding a new section to
2 chapter 70.58 RCW; adding a new chapter to Title 70 RCW; and declaring
3 an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that sexual activity
6 between teenagers has increased dramatically in recent years.
7 Consequently, the number of teen pregnancies and teens who have
8 contracted sexually transmitted diseases has increased to alarming
9 rates. The effects of sexual activity, therefore, can substantially
10 and negatively impact a teenager.

11 The legislature also finds that an important component in helping
12 teenagers avoid the psychological, emotional, physical, and social harm
13 that can result from sexual activity among teenagers is to teach them
14 the value of postponing sexual activity.

15 Therefore it is the intent of the legislature that the state
16 facilitate the establishment of abstinence education programs in the
17 communities throughout Washington state.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply

2 throughout this chapter unless the context clearly requires otherwise.

3 (1) "Abstinence education" means an educational or motivational
4 program that: (a) Has as its exclusive purpose, teaching the social,
5 psychological, and health gains to be realized by abstaining from
6 sexual activity; (b) teaches abstinence from sexual activity outside of
7 marriage as the expected standard for all school age children; (c)
8 teaches that abstinence from sexual activity is the only certain way to
9 avoid out-of-wedlock pregnancy, sexually transmitted diseases, and
10 other associated health problems; (d) teaches that a mutually faithful
11 monogamous relationship in the context of marriage is the expected
12 standard of human sexual activity; (e) teaches that sexual activity
13 outside of the context of marriage is likely to have harmful
14 psychological, emotional, physical, and societal effects; (f) teaches
15 that bearing children out of wedlock is likely to have harmful
16 consequences for the child, the child's parents, and society; (g)
17 teaches young people how to reject sexual advances and how alcohol and
18 drug use increases vulnerability to sexual advances; and (h) teaches
19 the importance of attaining self-sufficiency before engaging in sexual
20 activity.

21 (2) "Committee" means the abstinence education oversight committee
22 established in section 5 of this act.

23 (3) "Department" means the department of health.

24 (4) "Grantees" means applicants for federal abstinence education
25 funds that are granted funding by the department of health.

26 NEW SECTION. **Sec. 3.** (1) The department shall apply for federal
27 funds for abstinence education from the United States department of
28 human services under Title V of the social security act (43 U.S.C. Sec.
29 701 et seq.). The funds must be used exclusively for abstinence
30 education and, if appropriate, mentoring, counseling, and adult
31 supervision to promote abstinence from sexual activity among unwed
32 minors.

33 (2) In order to meet the requirements of this chapter, the
34 department shall maximize the use of these federal funds by
35 contracting, through the abstinence education oversight committee, only
36 with private and public sector organizations that have extensive
37 experience with abstinence education as the sole basis for their

1 abstinence education curriculum and are currently teaching abstinence
2 education.

3 NEW SECTION. **Sec. 4.** The goals of abstinence education are a
4 measurable reduction of the incidence of sexually transmitted disease,
5 a measurable reduction in abortions, and a measurable reduction in out-
6 of-wedlock births.

7 The effectiveness of abstinence education programs in meeting the
8 goals described in this section must be reported by the oversight
9 committee to appropriate senate and house of representatives standing
10 committees.

11 NEW SECTION. **Sec. 5.** There is established the abstinence
12 education oversight committee to consist of six members to be appointed
13 by the legislature. The speaker of the house of representatives shall
14 appoint three members, including two members of the house of
15 representatives and a member of the community who has significant
16 experience in providing abstinence education. The majority leader in
17 the senate shall appoint three members, including two members of the
18 senate and a member of the community who has significant experience in
19 providing abstinence education. The purpose of the committee is to
20 ensure that federal and state resources are used to achieve the goals
21 of this chapter. Committee members shall appoint a qualified agency
22 designated as the lead agency to administer funds to all grantees,
23 coordinate research, and distribute reports. Members of the committee
24 may be reimbursed for travel expenses as provided in RCW 43.03.050 and
25 43.03.060, subject to legislative appropriations.

26 NEW SECTION. **Sec. 6.** Subject to the restrictions contained in
27 this chapter, the committee is authorized to establish criteria and
28 approve applicants from organizations for funding programs designed to
29 teach abstinence education. The committee shall establish a set of
30 standards to assess progress in meeting the goals of the program as
31 established in section 4 of this act.

32 NEW SECTION. **Sec. 7.** (1) Applicants for funding under this
33 chapter must:

34 (a) Demonstrate an understanding of the purpose of abstinence
35 education;

1 (b) Provide a detailed description of the organization's
2 educational program; and

3 (c) Possess appropriate corporate licensing, whether or not the
4 organization is for-profit, not-for-profit, or church-based.

5 (2) An organization may not be granted funds for abstinence
6 education if the parent organization or any subsidiary of the parent
7 organization provides abortion services, counseling, or referrals for
8 abortions or provides contraceptives, counseling, or referrals for
9 contraceptives.

10 (3) Faith-based organizations may apply to the committee for
11 abstinence education funds.

12 NEW SECTION. **Sec. 8.** (1) All grantees must:

13 (a) Comply with the requirements of the program and adhere to the
14 standards outlined in the definition of abstinence education in section
15 2 of this act;

16 (b) Consent to an annual audit by an independent certified public
17 accountant; and

18 (c) Segregate abstinence education funds from any other state or
19 federal project funds.

20 (2) Grantees may use abstinence education funds for promotional and
21 advertising programs including, but not limited to, billboards and
22 signs. Funds may also be used to train teachers in premarital
23 abstinence education techniques.

24 (3) Failure to comply with proper allocation and usage of state or
25 federal funds under this section may result in permanent ineligibility
26 for funds to teach abstinence education. In addition, any grantee that
27 uses abstinence education funds in violation of this chapter may be
28 required to reimburse the department for the amount of the
29 misappropriated funds and pay a reasonable penalty as determined by the
30 department.

31 NEW SECTION. **Sec. 9.** All textbooks and other curricula material,
32 including teacher resources, used in an abstinence education program
33 must be published and readily available for public and parental
34 inspection upon request.

35 NEW SECTION. **Sec. 10.** A new section is added to chapter 70.58 RCW
36 to read as follows:

1 The department shall collect data related to the age and marital
2 status of women. The department shall also collect data, when the
3 information is available, related to the fathers of the children of
4 teenage mothers, including their age and marital status.

5 NEW SECTION. **Sec. 11.** Sections 1 through 9 of this act constitute
6 a new chapter in Title 70 RCW.

7 NEW SECTION. **Sec. 12.** If any provision of this act or its
8 application to any person or circumstance is held invalid, the
9 remainder of the act or the application of the provision to other
10 persons or circumstances is not affected.

11 NEW SECTION. **Sec. 13.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

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