

Fifty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1398

Introduced by

Representatives Sitte, Carlson, Kerzman, Koppelman

Senators Mutch, O'Connell

1 A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota  
2 Century Code, relating to instruction in abstinence in sex education.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 15.1-21 of the North Dakota Century Code is  
5 created and enacted as follows:

6 **Sex education - Instruction in abstinence.**

- 7 1. The superintendent of public instruction shall use abstinence education as the  
8 state standard for any sex-related education taught in the public schools.
- 9 2. For purposes of this section, "abstinence education" includes any type of  
10 instruction or program which, at an appropriate age:
- 11 a. Teaches the social, psychological, and health gains to be realized by  
12 abstaining from sexual activity, and the negative psychological and physical  
13 effects of not abstaining;
- 14 b. Teaches the consequences to the student, the student's parents, and society  
15 that bearing children out of wedlock and abortion are likely to produce,  
16 including the health, educational, financial, and other challenges the student  
17 and the student's parents are likely to face;
- 18 c. Teaches that unwanted sexual advances are irresponsible and teaches how  
19 to reject sexual advances and how alcohol and drug use increase  
20 vulnerability to sexual advances;
- 21 d. Teaches that abstinence from sexual activity before marriage and fidelity  
22 within marriage are the only certain ways to avoid out-of-wedlock pregnancy,  
23 sexually transmitted diseases, and related health problems, provided the  
24 instruction or program may include a discussion on contraceptives only if

- 1                   such discussion includes a factual presentation of the risks, failure rates,  
2                   diseases not protected against, and abortifacient characteristics of those  
3                   contraceptives, and further provided that in no case shall the instruction or  
4                   program include any demonstration of how condoms or other contraceptives  
5                   are applied;
- 6                   e.   Teaches the current state law related to sexual conduct, including forcible  
7                   rape, statutory rape, paternity establishment, and child support; and
- 8                   f.   Teaches the health and societal benefits of marriage, the meaning of  
9                   commitment, and the skills and attitudes needed to make marriage succeed.
- 10                3.   Local school districts, in their discretion, may host programs designed to teach  
11                parents how to discuss abstinence with their children.