

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 7

PRINTER NO. 1174

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 20, 2023

PRIME SPONSOR

Senator Aument

DESCRIPTION

Senate Bill 7 establishes a new Section 1529 (Parental Control Relating to Instructional Materials and Books Containing Sexually Explicit Content) in the Public School Code to require the governing body of a school entity to develop a policy to provide parental control of instructional materials and books containing sexually explicit content by no later than August 30, 2024.

The legislation requires the policy to identify specific instructional materials and books that are used or made available to students that contain sexually explicit material.

The legislation requires the policy to implement the use of an opt-in form which prohibits a student from being provided or having access to sexually explicit materials unless a parent has signed and returned the opt-in form providing their permission. It also requires the opt-in form to include specific language which acknowledges the parent is providing permission to view sexually explicit materials and a list of book titles and materials scheduled to be used as part of the curriculum, class discussion or made available in the school that meet the definition of sexually explicit.

The legislation provides that the policy must permit a student's parent or legal guardian to review the instructional materials or books containing sexually explicit content upon request. It specifies that a school entity must provide alternative, nonexplicit instructional materials and related activities if the parent does not provide permission to view sexually explicit material or has not submitted the opt-in form.

The legislation requires the governing body of a school entity to seek input at a public forum prior to adoption of the policy to ensure it meets the requirements provided in the legislation.

The legislation includes language stipulating that it may not be construed to prohibit a school entity from implementing additional transparency measures for sexually explicit content, prevent it from determining that sexually explicit materials are not appropriate for minors or students of certain ages, even when the content would not violate other laws, or permit the giving of sexually explicit materials to minors that are prohibited by any other applicable law.

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The legislation defines a "school entity" as a school district, intermediate unit, joint school, area career and technical school, charter school, regional charter school or cyber charter school and is scheduled to take effect in 60 days.

FISCAL IMPACT:

The enactment of Senate Bill 7 will have no fiscal impact on Commonwealth funds. School entities will likely incur minimal costs to develop and administer the required policies and parental opt-in, which can be accomplished within their existing operating budgets.