



ARIZONA HOUSE OF REPRESENTATIVES

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Final Pass: 31-23-6-0

HB 2495: schools; sexually explicit materials; prohibition

Sponsor: Representative Hoffman, LD 12

Transmitted to the Governor

Overview

Prohibits a public school from referring students to or using any sexually explicit material in any manner unless the material meets prescribed criteria.

History

A public educational institution (a school district, charter school, an accommodation school and the Arizona State Schools for the Deaf and the Blind) must obtain signed, written consent from a student's guardian before using video, audio or electronic materials that may be inappropriate for the age of the student and providing sex education instruction ([A.R.S. § 15-113](#)).

Additionally, a school district or charter school must obtain written informed consent from a student's guardian before administering any survey that is retained for more than one year and that solicits personal information regarding sexual behavior or attitudes ([A.R.S. § 15-117](#)).

Provisions

1. Prohibits a public school from referring students to or using any sexually explicit material in any manner. (Sec. 1)
2. Allows a public school to refer students to or use sexually explicit material if:
 - a) The exempted material possesses serious educational value for minors or serious literary, artistic, political or scientific value;
 - b) The public school requires written parental consent on a per-material basis before referring a student to or using the exempted material; and
 - c) The public school provides students with an alternative assignment that does not contain sexually explicit material if the school does not secure parental consent. (Sec. 1)
3. Defines *sexually explicit materials* to include textual, visual or audio materials or materials accessed via any other medium that depict *sexual conduct*, *sexual excitement* or *ultimate sexual acts*. (Sec. 1)
4. Defines *sexual conduct*, *sexual excitement* and *ultimate sexual acts*. (Sec. 1)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note