



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1044

contracts; grants; exclusions; sex education

Purpose

Prohibits the Department of Health Services (DHS) from entering into a contract to administer the Personal Responsibility Education Program (PREP) or the Sexual Risk Avoidance Education Grant Program (SRAE) with any applicant that performs, promotes or contracts with an entity that performs or promotes abortion.

Background

PREP is a federal grant program administered through the Administration for Children & Families (ACF) within the U.S. Department of Health & Human Services. PREP provides grants to entities contracted through state departments of health to educate youth on both abstinence and contraception to prevent pregnancy and sexually transmitted infections, including HIV/AIDS. Grantees must replicate effective, evidence-based programs that have been proven to delay sexual activity, increase condom or contraceptive use or reduce pregnancy among youth ([ACF](#)). In Arizona, PREP is administered through DHS, who contracts with six agencies in areas with high rates of teen pregnancy and has a special focus on Hispanic, Native and African Americans, as well as pregnant or parenting youth, youth in foster care and runaway or homeless youth aged 11 to 19. In FY 2021, Arizona grantees received a total of \$1,180,182 ([ACF](#)).

The SRAE provides funds to states to implement education on sexual risk avoidance that teaches youth to voluntarily refrain from sexual activity. The SRAE is designed to teach youth personal responsibility, self-regulation, goal setting, healthy decision-making, a focus on the future and the prevention of youth risk behavior such as drug and alcohol use, without normalizing teen sexual activity ([ACF](#)). In FY 2020, a total of \$1,708,206 was divided and rewarded to four community organizations in Arizona ([ACF](#)).

*Abortion* is the use of any means to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will cause, with reasonable likelihood, the death of the unborn child. *Abortion* does not include: 1) birth control devices; 2) oral contraceptives used to inhibit or prevent ovulation, conception or the implantation of a fertilized ovum in the uterus; 3) the use of any means to save the life or preserve the health of an unborn child; 4) preserving the life or health of a child after a live birth; 5) terminating an ectopic pregnancy; or 6) the removal of a dead fetus ([A.R.S. § 36-2151](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits DHS from entering into a contract to administer the PREP or SRAE grant programs with an applicant entity that performs or promotes abortion, operates a facility where abortions are performed or promoted or contracts or subcontracts with an entity that performs or promotes abortion.
2. Directs DHS to adopt rules requiring applicants, as a condition of eligibility for the PREP or SRAE grant programs, to:
  - a) be assigned a distinct identification number for each of the applicant's distinct locations, including locations of any grantees, grantee contractors or subcontractors; and
  - b) attest that abortions are not performed at each location.
3. Applies the definition of *abortion* prescribed for the regulation of abortion practices to the DHS prohibition on contracting with abortion providers for federal grants.
4. Becomes effective on the general effective date.

Prepared by Senate Research

January 24, 2022

MM/sr