

House Engrossed

public educational institutions; adoption information

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2040

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-115.02; AMENDING SECTION 15-711, ARIZONA REVISED
STATUTES; RELATING TO PUBLIC EDUCATIONAL INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-115.02, to read:

4 15-115.02. Public educational institutions; required
5 disclosures

6 A PUBLIC EDUCATIONAL INSTITUTION AS DEFINED IN SECTION 15-115.01
7 SHALL PROVIDE TO STUDENTS INFORMATION RELATING TO THE CURRENT ADOPTION
8 PRACTICES IN THE UNITED STATES AND WHERE A STUDENT MAY FIND
9 ADOPTION-RELATED RESOURCES AND SUPPORT IN THIS STATE EACH TIME THAT AN
10 EMPLOYEE OF THE PUBLIC EDUCATIONAL INSTITUTION DOES ANY OF THE FOLLOWING
11 IN THE EMPLOYEE'S OFFICIAL CAPACITY:

12 1. DISCUSSES CONTRACEPTION, SEXUALLY TRANSMITTED DISEASES OR
13 SEXUALLY TRANSMITTED INFECTIONS WITH STUDENTS.

14 2. DISPENSES CONTRACEPTION AT THE SCHOOL OR TO STUDENTS.

15 3. PROVIDES TESTING TO STUDENTS FOR ONE OR MORE SEXUALLY
16 TRANSMITTED DISEASES OR SEXUALLY TRANSMITTED INFECTIONS.

17 Sec. 2. Section 15-711, Arizona Revised Statutes, is amended to
18 read:

19 15-711. Sex education instruction; minimum grade; parental
20 review of curricula; sexual conduct with a minor;
21 information relating to adoption; review and
22 approval of course of study; public hearings and
23 input

24 A. School districts and charter schools may not provide sex
25 education instruction before grade five.

26 B. Before a parent provides written permission for the parent's
27 child to participate in any sex education curricula, the school district
28 or charter school shall make the sex education curricula available for the
29 parent's review online and in person pursuant to section 15-102,
30 subsection A, paragraph 2. The school district or charter school shall
31 notify parents where the sex education curricula are available for review
32 at least two weeks before any instruction is offered pursuant to this
33 section.

34 C. Each school district or charter school with existing sex
35 education curricula shall include instruction on ALL OF THE FOLLOWING:

36 1. The laws relating to sexual conduct with a minor for pupils in
37 grades seven, eight, nine, ten, eleven and twelve.

38 2. THE CURRENT ADOPTION PRACTICES IN THE UNITED STATES.

39 3. ADOPTION-RELATED RESOURCES AND SUPPORT IN THIS STATE.

40 4. THE PROVISIONS OF SECTION 13-3623.01.

41 D. Each school district or charter school may develop its own sex
42 education course of study or adopt an existing sex education course of
43 study to meet the requirements of this section.

44 E. Before a school district or charter school offers sex education
45 instruction, the school district governing board or charter school

1 governing body shall review and approve the sex education course of study
2 that is developed, ~~adopted~~ APPROVED, revised or updated pursuant to this
3 section. The governing board or governing body:

4 1. Shall provide parents with a meaningful opportunity to
5 participate in, review and provide input on any proposed sex education
6 course of study before it is ~~adopted~~ APPROVED.

7 2. May not approve a course of study unless it complies with this
8 section.

9 F. Before approving any sex education course of study developed,
10 ~~adopted~~ APPROVED, revised or updated pursuant to this section, the school
11 district governing board or charter school governing body shall do all of
12 the following:

13 1. Require that all meetings of committees that are authorized for
14 the purposes of reviewing and selecting the sex education course of study
15 be publicly noticed at least two weeks before occurring and be open to the
16 public pursuant to title 38, chapter 3, article 3.1.

17 2. Make any proposed sex education course of study available and
18 accessible for review and public comment for at least sixty days before
19 the governing board or governing body decides whether to approve that
20 course of study.

21 3. Conduct at least two public hearings within the sixty-day period
22 before the governing board or governing body decides whether to approve
23 any course of study. Public comment may include written comments, oral
24 comments and comments submitted through email.

25 G. A school district or charter school is not required to provide
26 sex education instruction to pupils. If a school district or charter
27 school decides to provide sex education instruction after school hours,
28 this section and section 15-102 apply.

29 H. This section does not prohibit age and grade appropriate
30 classroom instruction regarding child assault awareness and abuse
31 prevention.