

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 558 is to prohibit sexually explicit material in public schools. HB 558 define terms related to sexually oriented material harmful to minors and provides enforcement of these prohibitions. “Sexually Explicit Material” Any content not classified as sexual education, including: Depictions of sexual acts, Nudity intended to arouse, Lascivious dialogue or imagery and depictions of sexual violence or exploitation. The Education Department will create rules for enforcement, including: Unlicensed Employees: Subject to termination for violations. Licensed Employees: Face termination and potential license revocation. Contractors/Volunteers: Access to schools may be revoked. Violating districts or charter schools may face fines up to \$500 per incident.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

TECHNICAL ISSUES

“39-37-5 EXCLUSIONS—DEFENSES states “no person shall be guilty of violating the provisions of” House Bill 558 is not a criminal statute but a civil enforcement statute with penalties against employment and fines. There is a different burden of proof standard for civil enforcement vs criminal enforcement.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP