

2023 Regular Session

HOUSE BILL NO. 466

BY REPRESENTATIVES HORTON, AMEDEE, AND GAROFALO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CURRICULA: Provides relative to discussion of sexual orientation and gender identity in public schools

1 AN ACT

2 To enact R.S. 17:412, relative to public school teachers, personnel, and students; to provide
3 relative to discussion of sexual orientation or gender identity with students; to
4 provide relative to pronouns used when referring to students; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:412 is hereby enacted to read as follows:

8 §412. Sexual orientation, gender identity; prohibited instruction, discussion;
9 pronouns

10 A.(1) No teacher, school employee, or other presenter at a school shall
11 engage in the following discussions with students in grades kindergarten through
12 twelve:

13 (a) Covering the topics of sexual orientation or gender identity in any
14 classroom discussion or instruction in a manner that deviates from state content
15 standards or curricula developed or approved by public school governing authorities.

16 (b) Covering the topics of sexual orientation or gender identity during any
17 extracurricular academic, athletic, or social activity under the jurisdiction of the
18 school or public school governing authority.

19 (c) Discussing his own sexual orientation or gender identity.

1 (2) Nothing in this Subsection shall be construed to mean a student may not
2 seek out guidance from a teacher or licensed mental health professional outside
3 classroom hours with prior parental consent.

4 B.(1) No school employee shall use pronouns for a student that differ from
5 the pronouns that reflect the sex indicated on the student's birth certificate unless the
6 student's parent provides written permission.

7 (2) No school employee or student shall be required to use pronouns for any
8 person that differ from the pronouns that reflect the sex indicated on the person's
9 birth certificate if doing so would violate the employee or student's sincerely held
10 religious beliefs or if doing so would violate the employee or student's rights under
11 Louisiana Employment Discrimination Law, Chapter 3-A of Title 23 of the
12 Louisiana Revised Statutes of 1950 (R.S. 23:301, et seq.); the Preservation of
13 Religious Freedom Act, Part XIX of Chapter 32 of Title 13 of the Louisiana Revised
14 Statutes of 1950 (R.S. 13:5231, et seq.); or Title VII of the Civil Rights Act of 1964
15 (2 U.S.C. §1311, et seq.); however, a school employee shall use either a student's
16 name, or a derivative thereof, that is listed on his birth certificate or another name
17 authorized by the student's parent.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 466 Reengrossed

2023 Regular Session

Horton

Abstract: Provides relative to instruction on and discussion of sexual orientation and gender identity with certain public school students.

Proposed law prohibits a public school teacher, employee, or other presenter at a school from doing any of the following in grades kindergarten through 12:

- (1) Incorporating into classroom instruction or discussion topics of sexual orientation or gender identity in a manner that deviates from state content standards or curricula developed or approved by the public school governing authority.
- (2) Covering the topics of sexual orientation or gender identity during any extracurricular activity.
- (3) Discussing his personal sexual orientation or gender identity.

Proposed law provides that no public school employee shall use a pronoun for a student that differs from the pronoun that aligns with the student's sex unless the student's parent provides written permission.

Proposed law provides that no public school employee or student shall be required to use a pronoun for any person that differs from the pronoun that aligns with that person's sex if doing so is contrary to the employee or student's sincerely held religious beliefs or if doing so would violate specified statutory rights under present law. Proposed law requires employees to use either a student's name, a derivative thereof, or another name authorized by the student's parent.

(Adds R.S. 17:412)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add specified statutory rights as a reason a teacher would not be required to use a particular pronoun.
2. Provide that a *student* is not required to use a pronoun if doing so violates his religious beliefs or rights.
3. Add requirement that employees use the student's name as given or authorized by parents.