



Rep. William Davis

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LRB100 03172 RLC 38923 a

1 AMENDMENT TO HOUSE BILL 1446

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1446 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Mental Health and Developmental  
5 Disabilities Code is amended by adding Section 4-211 as  
6 follows:

7 (405 ILCS 5/4-211 new)

8 Sec. 4-211. Sex education for persons admitted to a  
9 developmental disability facility. A person admitted to a  
10 developmental disability facility shall have access to sex  
11 education, related resources and treatment planning that  
12 supports his or her right to sexual expression, including  
13 access reviews of whether the admitted person is capable of  
14 giving consent to sexual activity. The Department shall approve  
15 course material in sex education. Course material and  
16 instruction in sex education shall: (1) be appropriate to the

1 developmental disability level of the recipient, medically  
2 accurate, and complete; (2) present identity as a part of  
3 mature adulthood; (3) replicate evidence-based programs or  
4 substantially incorporate elements of evidence-based programs;  
5 (4) place substantial emphasis on the prevention of pregnancy  
6 and sexually transmitted diseases and shall stress that  
7 abstinence is the ensured method of avoiding unintended  
8 pregnancy, sexually transmitted diseases, and HIV/AIDS; (S)  
9 include a discussion of the possible emotional and  
10 psychological consequences of sexual intercourse and the  
11 consequences of unwanted pregnancy; (6) stress that sexually  
12 transmitted diseases are serious possible health hazards of  
13 sexual intercourse; (7) provide statistics based on the latest  
14 medical information citing the failure and success rates of  
15 condoms in preventing HIV/AIDS and other sexually transmitted  
16 diseases; (8) teach recipients to avoid behavior that could be  
17 interpreted as unwanted sexual advances, and how to reject  
18 unwanted sexual advances; and (9) signs of possible dangers  
19 from potential predators. The Department shall not withhold  
20 approval of materials that otherwise meet the criteria  
21 specified in this Section on the basis that they include or  
22 refer to a religious or faith based perspective."