

# HB3636



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3636

by Rep. William Davis

### SYNOPSIS AS INTRODUCED:

405 ILCS 5/4-211 new

Amends the Mental Health and Developmental Disabilities Code. Provides that a person admitted to a developmental disability facility shall have access to sex education, related sources, and treatment planning that supports his or her right to sexual expression, including access reviews of whether the admitted person is capable of giving consent to sexual activity. Provides that the Department of Human Services shall approve course material in sex education which must meet certain statutory guidelines.

LRB100 10424 RLC 20629 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

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 sources, 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  
17 developmental disability level of the recipient, medically  
18 accurate, and complete; (2) replicate evidence-based programs  
19 or substantially incorporate elements of evidence-based  
20 programs; (3) place substantial emphasis on contraception for  
21 the prevention of pregnancy and sexually transmitted diseases  
22 and shall stress that abstinence is the ensured method of  
23 avoiding unintended pregnancy, sexually transmitted diseases,

1 and HIV/AIDS; (4) include a discussion of the possible  
2 emotional and psychological consequences of sexual intercourse  
3 and the consequences of unwanted pregnancy; (5) stress that  
4 sexually transmitted diseases are serious possible health  
5 hazards of sexual intercourse; (6) provide statistics based on  
6 the latest medical information citing the failure and success  
7 rates of condoms in preventing HIV/AIDS and other sexually  
8 transmitted diseases; and (7) teach recipients to not make  
9 unwanted physical and verbal sexual advances and how to say no  
10 to unwanted sexual advances.