

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas As Engrossed: H1/23/25 H1/30/25 H2/5/25 S2/18/25 S2/19/25

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1180

By: Representatives Bentley, Beck, Breaux, A. Brown, M. Brown, N. Burkes, Cavanaugh, C. Cooper, Cozart, Crawford, Duke, Furman, Gramlich, Long, Lundstrum, McClure, McGrew, B. McKenzie, Pilkington, Ray, Rose, Rye, Torres, Vaught, Wooten

By: Senators C. Penzo, M. Johnson, M. McKee, J. Payton, J. Petty, J. Dotson, Dees, J. Bryant

### For An Act To Be Entitled

AN ACT TO CREATE THE BABY OLIVIA ACT; AND FOR OTHER PURPOSES.

### Subtitle

TO CREATE THE BABY OLIVIA ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

*SECTION 1. Arkansas Code § 6-15-202(f)(46) and (47), concerning the laws for which public school superintendents may be required to submit a written statement of assurance that ensures compliance, is amended to read as follows:*

*(46) Section 6-17-2803(7) and rules promulgated by the state board concerning the required training and credentialing of evaluators under the Teacher Excellence and Support System, § 6-17-2801 et seq.; and*

*(47) Section 6-16-1008 and § 6-18-703(a)(3)(A)(ii) concerning requirements for certain human fetal growth and development education; and*

*~~(47)~~(48) Any other statutory mandate for school districts identified by the division as relevant to the Standards for Accreditation of Arkansas Public Schools and School Districts.*

*SECTION 2. Arkansas Code Title 6, Chapter 16, Subchapter 10, is amended to add an additional section to read as follows:*

*6-16-1008. Human fetal growth and development education.*

*(a) As used in this section, "human fetal growth and development*



discussion" means an oral, written, or digital lesson, lecture, or presentation regarding human biology as it relates to pregnancy and human development inside the womb.

(b)(1) Each public school district and open-enrollment public charter school shall incorporate a human fetal growth and development discussion into an existing health and safety course beginning in the sixth grade.

(2)(A) The human fetal growth and development discussion required by subdivision (b)(1) of this section shall include:

(i) A high-definition ultrasound video that shows the brain, heart, sex organs, and other vital organs in early fetal development; and

(ii) A video that is at least three (3) minutes in duration that depicts the process of fertilization and every stage of human development inside the uterus and notes significant markers in cell growth and organ development for every significant marker of pregnancy until birth.

(B) The Division of Elementary and Secondary Education shall promulgate a rule for a list of approved videos under subdivision (b)(2)(A) of this section, including without limitation the "Meet Baby Olivia" video developed by Live Action, as it existed on January 1, 2025.

SECTION 3. Arkansas Code § 6-18-703(a), concerning the establishment of school-based health clinics by school districts, is amended to read as follows:

(a)(1)(A)(i) No school-based health clinic may be established in a public school until requested by resolution by the school district board of directors, and no child shall receive school-based health clinic services without parental consent.

(ii) Parental consent to contraceptive services and condom distribution shall be specific, in writing, and maintained in the student's health records.

(B)(i) All school-based clinics shall maintain accurate records of the distributing and prescribing of contraceptives and condoms.

(ii) The number of pregnancies and sexually transmitted diseases among students in the schools with school-based clinics shall be transmitted annually to the school district board of directors.

(iii) Records maintained under this section are part

of the confidential medical record of the student.

(iv) Numerical or statistical data required to be maintained under this subsection may not be released in a manner that reveals the identity of or any other information contained in the file of the student.

(2) If the board of directors establishes a school-based health clinic, the board of directors shall retain absolute control over the operations and programs offered by the clinic.

(3)(A) Schools that offer sex education in school-based health clinics shall include ~~instruction;~~

(i) Instruction in sexual abstinence; and ~~no funds~~

(ii) A human fetal growth and development discussion, as defined in § 6-16-1008(a), which shall include:

(a) A high-definition ultrasound video that is at least three (3) minutes in duration depicting the brain, heart, sex organs, and other vital organs in early fetal development; and

(b) The "Meet Baby Olivia" video developed by Live Action, which depicts the process of fertilization and every stage of human development inside the uterus and notes significant markers in cell growth and organ development for every significant marker of pregnancy until birth.

(B) Funds shall not be utilized for abortion referral.

SECTION 4. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Baby Olivia Act".

/s/Bentley