

119TH CONGRESS
2D SESSION

S. _____

To amend the Elementary and Secondary Education Act of 1965 to prohibit the use of funds provided under such Act to develop, implement, facilitate, host, or promote any program or activity for, or to provide or promote literature or other materials to, children under the age of 18 that includes sexually oriented material, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BANKS introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Elementary and Secondary Education Act of 1965 to prohibit the use of funds provided under such Act to develop, implement, facilitate, host, or promote any program or activity for, or to provide or promote literature or other materials to, children under the age of 18 that includes sexually oriented material, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop the Sexualization
5 of Children Act”.

1 **SEC. 2. PROHIBITING FUNDING FOR SEXUALLY ORIENTED**
2 **MATERIAL.**

3 Section 8526 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7906) is amended—

5 (1) by striking “No funds under this Act may
6 be used—” and inserting the following:

7 “(a) GENERAL PROHIBITIONS.—No funds under this
8 Act may be used—”; and

9 (2) by adding at the end the following:

10 “(b) PROHIBITING FUNDING FOR SEXUALLY ORI-
11 ENTED MATERIAL.—

12 “(1) IN GENERAL.—No funds under this Act
13 may be used to develop, implement, facilitate, host,
14 or promote any program or activity for, or to provide
15 or promote literature or other materials to, children
16 under the age of 18 that includes sexually oriented
17 material, including any program, activity, literature,
18 or material that exposes such children to nude
19 adults, individuals who are stripping, or lewd or las-
20 civious dancing.

21 “(2) RULE OF CONSTRUCTION.—Nothing in
22 this subsection shall be construed to prohibit the use
23 of funds under this Act for, or otherwise limit or
24 interfere with, teaching—

25 “(A) standard science coursework, includ-
26 ing biology, botany, zoology, microbiology, cytol-

1 ogy, genetics, ecology, human health, or human
2 anatomy and physiology;

3 “(B) the texts of major world religions;

4 “(C) classic works of literature; or

5 “(D) classic works of art.

6 “(3) DEFINITIONS.—In this subsection:

7 “(A) CLASSIC WORKS OF ART.—The term
8 ‘classic works of art’ means the works of art de-
9 picted, referenced, or otherwise represented in
10 Smarthistory guide to AP Art History, volumes
11 1, 2, 3, 4, and 5 (2019–2020), published by
12 Smarthistory.

13 “(B) CLASSIC WORKS OF LITERATURE.—
14 The term ‘classic works of literature’ means the
15 works of literature (including translations of
16 such works)—

17 “(i) included in the Great Books of
18 the Western World (second edition, 1990),
19 published by Encyclopaedia Britannica;

20 “(ii) referenced in the article ‘Classics
21 Every Middle Schooler Should Read’ by
22 Thomas Purifoy, Jr. and published by
23 Compass Classroom (as such article ap-
24 peared on the date of enactment of this
25 subsection); and

1 “(iii) referenced in the article
2 ‘Classics Every High Schooler Should
3 Read’ by Mary Pierson Purifoy and pub-
4 lished by Compass Classroom (as such ar-
5 ticle appeared on the date of enactment of
6 this subsection).

7 “(C) SEXUALLY ORIENTED MATERIAL.—
8 The term ‘sexually oriented material’ means
9 material that—

10 “(i) includes any depiction, descrip-
11 tion, or simulation of sexually explicit con-
12 duct (as defined in subparagraphs (A) and
13 (B) of section 2256(2) of title 18, United
14 States Code); or

15 “(ii) involves gender dysphoria or
16 transgenderism.”.