

Committee on Judiciary

HB 241 — Parents’ Bill of Rights

by Reps. Grall, Byrd, and others (CS/CS/SB 582 by Education Committee; Judiciary Committee; and Senators Rodrigues, Baxley, and Albritton)

The bill establishes the “Parents’ Bill of Rights.” The bill provides that the state, its political subdivisions, any other governmental entity, or other institution may not infringe upon the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of a minor child. If those entities infringe upon a parent’s fundamental right, they must demonstrate that the action is reasonable and necessary to achieve a compelling state interest, and the action must be narrowly tailored and not otherwise served by less restrictive means.

The bill enumerates a list of rights that a parent possesses in order to direct the education of his or her child and be informed about the child’s educational programs. The bill also requires a school district to promote parental involvement in the public school system by providing access to the child’s studies and instructional materials while recognizing a parent’s right to withdraw the child from objectionable portions of the school’s curriculum.

The bill further requires a parent’s permission before a health care practitioner may provide services, prescribe medicine to the child, or perform a medical procedure, unless otherwise provided by law. The bill provides a misdemeanor penalty for a health care practitioner or similar person who violates the health care provisions and subjects these persons to disciplinary actions.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 24-15; House 78-37