

112TH CONGRESS
2D SESSION

H. R. 4046

To amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2012

Mr. LAMBORN (for himself, Mrs. SCHMIDT, Mr. JONES, Mr. McCOTTER, Mr. LATTA, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mrs. BACHMANN, Mr. DUNCAN of South Carolina, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. CULBERSON, Mr. FLEMING, Mr. PEARCE, Mr. COLE, Mr. HARRIS, Mr. PAUL, Mrs. HARTZLER, Mr. GOHMERT, Mr. NEUGEBAUER, Mr. CONAWAY, and Mr. MARCHANT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception.

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 “Schoolchildren’s
5 Health Protection Act”.

1 **SEC. 2. SCHOOLCHILDREN'S HEALTH PROTECTION.**

2 The General Education Provisions Act (20 U.S.C.
3 1221 et seq.) is amended by adding at the end the fol-
4 lowing new part:

5 **"PART E—SCHOOLCHILDREN'S HEALTH**
6 **PROTECTION**

7 **"SEC. 461. LIMITATIONS ON FUNDING.**

8 "Notwithstanding any other provision of Federal law,
9 no funds may be made available from any applicable pro-
10 gram to a State educational agency or local educational
11 agency that—

12 "(1) distributes or provides, or permits the dis-
13 tribution or provision of, postcoital emergency con-
14 traception (such as the so-called 'morning-after
15 pill'), or a prescription for such contraception, on
16 the premises, or in the facilities, of an elementary
17 school or secondary school; or

18 "(2) enters into a contract or other agreement
19 relating to the provision of health services to stu-
20 dents under the jurisdiction of the agency with a
21 school-based health center unless such center agrees
22 that it will not provide postcoital emergency contra-
23 ception, or a prescription for such contraception, to
24 any such student pursuant to the contract or agree-
25 ment.

1 **“SEC. 462. DEFINITIONS.**

2 “In this part:

3 “(1) The term ‘postcoital emergency contracep-
4 tion’ means—

5 “(A) any of the regimens described in the
6 notice entitled ‘Prescription Drug Products;
7 Certain Combined Oral Contraceptives for Use
8 as Postcoital Emergency Contraception’, pub-
9 lished in the Federal Register on February 25,
10 1997 (62 FR 8610), or any subsequent cor-
11 responding notice; or

12 “(B) any other drug or device to be used
13 after fertilization may have occurred and for
14 the same purposes as the regimes in subpara-
15 graph (A).

16 “(2) The term ‘school-based health center’ has
17 the meaning given such term in section 2110(c)(9)
18 of the Social Security Act (42 U.S.C.
19 1397jj(c)(9)).”.

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