



129th MAINE LEGISLATURE

LD 773

LR 1850(01)

An Act Regarding Secondary School Education Concerning Sexual Activity and Sexual Assault

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Rep. Larsen-Daughtry of Brunswick

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

Potential State Mandate - Unfunded

State Mandates

Required Activity

Requires that instruction involving affirmative consent, communication and decision making regarding sexual activity and the effects of alcoholic drinks, stimulants and narcotics on the ability to give affirmative consent, communicate and make appropriate decisions be included in a secondary school's course of study in health, safety and physical education.

Unit Affected

School

Local Cost

Moderate statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

Additional costs to the Department of Education to include affirmative consent, communication and decision making regarding sexual activity and the effects of alcoholic drinks, stimulants and narcotics on the ability to give affirmative consent in the commissioner's review of the content standards and performance indicators for the health, physical education and wellness content area beginning in the 2019-2020 school year can be absorbed within existing budgeted resources.