

2023 -- H 5859

LC001992

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

Introduced By: Representatives P. Morgan, Azzinaro, Lima, Costantino, Nardone, Rea,
and Quattrocchi

Date Introduced: March 01, 2023

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-2 of the General Laws entitled "School Committees and
2 Superintendents [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby
3 amended by adding thereto the following section:

4 **16-2-9.7. Infringement of parental rights.**

5 (a) The state, any of its political subdivisions, any other governmental entity, or any other
6 institution may not infringe on the fundamental rights of a parent to direct the upbringing,
7 education, health care, and mental health of his or her minor child without demonstrating that such
8 action is reasonable and necessary to achieve a compelling state interest and that such action is
9 narrowly tailored and is not otherwise served by a less restrictive means.

10 (b) For purposes of this section, the term "parent" means a person who has legal custody
11 of a minor child as a natural or adoptive parent or a legal guardian.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

1 This act would prevent the state or any governmental entity from infringing on the
2 fundamental rights of parents in the upbringing of their children.

3 This act would take effect upon passage.

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