

**AN EDUCATIONAL UPDATE FROM
THE SOUTHEAST LAW INSTITUTE™, INC.**

To: Interested Persons
Date: June 2025
From: A. Eric Johnston
RE: 2025 Regular Session of the Alabama Legislature

The Legislature concluded this year's regular session on an ignominious note. On the final day of the session, May 14, 2025, there were a number of important bills pending which could have become law. We say could have because they were held up by the efforts of Senators Singleton and Smitherman, as well as others, who delayed action in the Senate. As a result, the House held up its action. The bill they wanted to be considered was Singleton's SB90, which would allow unlimited computerized gambling in Greene County. We reported on that bill in our May 2025 Educational Update.

One of the more important bills that never got any traction was Representative Arnold Moody's HB4 to amend the Alabama Anti-Obscenity Enforcement Act to prohibit drag shows, and related materials harmful to minors in public schools and public libraries, and to remove their exemption from prosecution. This would include actual physical presentations, as well as, books and other materials. Apparently, leadership opposed permitting this bill to make any progress. Efforts by the various library associations and their allies opposed this.

HB 284 that would prohibit internet sales of abortifacients did not pass. It did not have a meritorious hearing. Delays and other factors resulted in the bill's late filing with no chance to pass. As you know, it usually takes several years to get good legislation passed. There is no higher priority than to protect unborn children. We expect the bill to be filed next year.

We were pleased the education budget included an appropriation for \$850,000 for pregnancy resource centers. For three years there were efforts to get a tax credit bill for PRC's. Those that control the budget process would not consider those efforts. However, Senator Arthur Orr, Chairman of the committee responsible for the education budget offered and then helped pass the appropriation. The process for obtaining those funds is presently in motion.

For several years, Representative Chris Sells has attempted to get passed a requirement that cell phones and tablets have a filter that will protect minors from harmful information and images. Finally, this year, SB186 (Senator Clyde Chambliss) passed. It was not ideal. But we are hopeful it will protect children to a significant extent.

Several efforts to protect public school children were rebuffed. One of those is a bill that has been filed for several years to update the Alabama Abstinence Act. SB277 dealt with the teaching of sex education in public schools. Materials unsuitable for minor children have been promoted in public schools. It will be an important issue again next year.

There has been a recent effort to return the Ten Commandments to the public square. A supreme court case not long ago overruled the so-called *Lemon* Test that made it almost impossible for any religious activity, including the posting of the Ten Commandments, to take place in public places, including in public schools. Efforts were then renewed to bring the Ten Commandments back to public schools, including HB178 by Rep. Mark Gidley. It did not pass. A similar Louisiana law is being challenged in the Fifth Circuit federal court. SCOTUS review will be likely. That should provide guidance to Alabama for considering the bill again next year.

Perhaps the most disappointing outcome of the session was the passage of a bill which allows the sale of low dose synthetic marijuana ingestible products, i.e., gummies, drinks, *etcetera*, that are psychoactive. Several bills were introduced to regulate this or prohibit it. The preference was to simply prohibit the sale of these items and it is generally acknowledged, but not by sponsors of the legislation, that this is another step toward legalization of recreational marijuana. That is what is happening in other states. The sponsors of this bill are like those who sponsor gambling. Their preference is to regulate it, tax it, and ignore the reality of the damage that it does to men, women, children and families. In the last minutes when that bill was passed, an amendment was added allowing the products to be sold in grocery stores. This clearly showed the shallow reasoning and carelessness of the sponsors of this law.

In 2019, a law passed permitting public school students released time to attend off campus Bible studies. It said schools "may" allow. Few schools cooperated. HB342 (Rep. Susan Dubose) would have "required" schools to adopt a policy. The bill did not pass, but will return next year. Public school authorities must realize this is a good thing and support its passage.

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