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By: **Delegates Burns, Aumann, Bartlett, Boteler, Branch, C. Davis, DeBoy,  
Edwards, Elliott, Kach, Murray, Stull, and Trueschler**

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Education - Intelligent Design - Regulation**

3 FOR the purpose of requiring the State Board of Education to prohibit the teaching or  
4 discussion of a certain theory of intelligent design in certain science classes;  
5 requiring the State Board to permit the teaching or discussion of a certain  
6 theory of intelligent design in certain humanities or philosophy classes;  
7 prohibiting the State Board from requiring the teaching or discussion of a  
8 certain theory of intelligent design in any class; requiring the State Board to  
9 develop and make available to certain county boards and certain teachers  
10 certain materials concerning a certain theory of intelligent design; defining a  
11 certain term; and generally relating to the State Board of Education and the  
12 regulation of the teaching of intelligent design in schools.

13 BY repealing and reenacting, without amendments,  
14 Article - Education  
15 Section 2-101 and 2-205(a)  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2005 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article - Education  
20 Section 2-205(b)  
21 Annotated Code of Maryland  
22 (2004 Replacement Volume and 2005 Supplement)

23 BY adding to  
24 Article - Education  
25 Section 7-116  
26 Annotated Code of Maryland  
27 (2004 Replacement Volume and 2005 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Education**

4 2-101.

5 There is a State Department of Education, established as a principal  
6 department of the State government.

7 2-205.

8 (a) In addition to the other powers granted and duties imposed under this  
9 article, the State Board has the powers and duties set forth in this section.

10 (b) The State Board shall:

11 (1) [Determine] EXCEPT AS PROVIDED IN § 7-116 OF THIS ARTICLE,  
12 DETERMINE the elementary and secondary educational policies of this State; and

13 (2) Cause to be carried out those provisions of this article that are within  
14 its jurisdiction.

15 7-116.

16 (A) IN THIS SECTION, "THE THEORY OF INTELLIGENT DESIGN" MEANS A  
17 THEORETICAL CONCEPT THAT HOLDS THAT CERTAIN FEATURES OF THE UNIVERSE  
18 AND OF LIVING THINGS ARE BEST EXPLAINED BY AN INTELLIGENT CAUSE RATHER  
19 THAN AN UNDIRECTED PROCESS SUCH AS NATURAL SELECTION.

20 (B) (1) THE STATE BOARD MAY NOT PERMIT THE TEACHING OR DISCUSSION  
21 OF THE THEORY OF INTELLIGENT DESIGN IN ANY SCIENCE CLASS.

22 (2) THE STATE BOARD SHALL PERMIT THE TEACHING OR DISCUSSION  
23 OF THE THEORY OF INTELLIGENT DESIGN IN A HUMANITIES OR PHILOSOPHY CLASS.

24 (C) THE STATE BOARD MAY NOT REQUIRE THE TEACHING OR DISCUSSION OF  
25 THE THEORY OF INTELLIGENT DESIGN IN ANY CLASS.

26 (D) THE STATE BOARD SHALL DEVELOP AND MAKE AVAILABLE TO COUNTY  
27 BOARDS OR TEACHERS INSTRUCTIONAL MATERIALS FOR THE TEACHING AND  
28 DISCUSSION OF THE THEORY OF INTELLIGENT DESIGN IN HUMANITIES OR  
29 PHILOSOPHY CLASSES.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
31 effect July 1, 2006.