

SECOND REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1075
93RD GENERAL ASSEMBLY

Reported from the Committee on Children and Families March 2, 2006 with recommendation that House Committee Substitute for House Bill No. 1075 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 9, 2006 with recommendation that House Committee Substitute for House Bill No. 1075 Do Pass with a time limit of 150 minutes for debate on Perfection.

Taken up for Perfection April 25, 2006. House Committee Substitute for House Bill No. 1075 ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

3426L.10P

AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to school course materials.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 170.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 170.015, to read as follows:

170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 (2) Stress that sexually transmitted diseases are serious, possible, health hazards of
10 sexual activity. Pupils shall be provided with the latest medical information regarding exposure
11 to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human
12 papilloma virus, hepatitis and other sexually transmitted diseases;

13 (3) Present students with the latest medically factual information regarding both the
14 possible side effects and health benefits of all forms of contraception, including the success and
15 failure rates for the prevention of pregnancy and sexually transmitted diseases **and further**
16 **information may be available from their previously designated family practitioner under**
17 **section 167.611, RSMo;**

18 (4) Include a discussion of the possible emotional and psychological consequences of
19 [preadolescent and adolescent] **premarital and extramarital** sexual activity and the
20 consequences of adolescent pregnancy, as well as the advantages of adoption, including the
21 adoption of special needs children, and the processes involved in making an adoption plan;

22 (5) Teach skills of conflict management, personal responsibility and positive self-esteem
23 through discussion and role-playing at appropriate grade levels to emphasize that the pupil has
24 the power to control personal behavior. Pupils shall be encouraged to base their actions on
25 reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such
26 as respect for one's self and others. Pupils shall be taught not to make unwanted physical and
27 verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist
28 unwanted sexual advances and other negative peer pressure;

29 (6) Advise pupils of the laws pertaining to their financial responsibility to children born
30 in and out of wedlock and advise pupils of the provisions of chapter 566, RSMo, pertaining to
31 statutory rape;

32 (7) **Present the benefits to individuals, families, and society of a lifelong**
33 **monogamous marriage between a man and a woman; and**

34 (8) **Present scientifically accurate information, consistent with the provisions of**
35 **sections 1.205, RSMo, and 188.015, RSMo, on the development of the unborn child from**
36 **fertilization until birth, including but not limited to such developmental milestones and**
37 **information that:**

38 (a) **At conception, including in vitro fertilization, an unborn child's life begins;**

39 (b) **The unborn child's gender is determined at conception;**

40 (c) **An unborn child's heartbeat and brainwaves can be detected during the first**
41 **trimester of pregnancy;**

42 (d) **The unborn child has growth and development of various body organs and**
43 **limbs, fingerprints, and sensory awareness long before birth; and**

44 **(e) Alcohol, drug, and tobacco use by the parents as well as lack of adequate health**
45 **care for the family can be harmful to the developing unborn child.**

46 2. Policies concerning referrals and parental notification regarding contraception shall
47 be determined by local school boards **or charter schools**, consistent with the provisions of
48 section 167.611, RSMo.

49 3. A school district **or charter school** which provides human sexuality instruction may
50 separate students according to gender for instructional purposes.

51 4. The board of a school district **or charter school** shall determine the specific content
52 of the district's **or school's** instruction in human sexuality, in accordance with subsections 1 to
53 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age
54 of the students receiving such instruction.

55 5. A school district **or charter school** shall notify the parent or legal guardian of each
56 student enrolled in the district **or school** of:

57 (1) The basic content of the district's **or school's** human sexuality instruction to be
58 provided to the student; and

59 (2) The parent's right to remove the student from any part of the district's **or school's**
60 human sexuality instruction.

61 **(3) Such notification shall be on a specific form requiring an affirmative response,**
62 **in writing, that the parent or legal guardian has been informed of the content of the human**
63 **sexuality instruction in accordance with this section and shall provide a check off for the**
64 **parent or legal guardian to select approval or disapproval for the student's participation.**
65 **Any student not specifically approved for participation shall be excused, without prejudice,**
66 **from the instruction.**

67 6. A school district **or charter school** shall make all curriculum materials used in the
68 district's **or school's** human sexuality instruction available for public inspection pursuant to
69 chapter 610, RSMo, **as well as provide the names of the instructors and the instructors'**
70 **affiliations to any entities involved with human sexuality instruction, at least one week prior**
71 **to the use of such materials in actual instruction or presentation by such instructors.**

72 7. No school district or charter school, or its personnel or agents, shall provide
73 abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner
74 any course materials or instruction to its students if such person or entity is a provider of
75 abortion services, provided that a licensed hospital, as defined by subsection 2 of section
76 197.020, RSMo, may be permitted to provide course materials and instruction, including
77 but not limited to, human sexuality and sexually transmitted diseases but not relating to
78 abortion services.

79 **8. As used in this section, the following terms mean:**

80 (1) "Abortion", the same meaning as such term is defined in section 188.015,
81 **RSMo;**

82 (2) "Abortion services":

83 (a) Performing, inducing, or assisting in the performing or inducing of an abortion;

84 (b) Encouraging a patient to have an abortion or referring a patient for an
85 abortion; or

86 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to
87 induce an abortion

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89 **which is not necessary to save the life of the mother.**

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