

FIRST REGULAR SESSION

HOUSE BILL NO. 716

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor), DEMPSEY, CUNNINGHAM (86), ONDER,
SCHOELLER, ICET, SCHAD, COX, SCHAAF, SANDER, SATER,
FISHER AND MUSCHANY (Co-sponsors).

Read 1st time February 1, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1824L.01I

AN ACT

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

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Section A. Section 170.015, RSMo, is repealed and one new section enacted in lieu
2 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
2 sexually transmitted diseases shall be medically and factually accurate and shall:

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

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;

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.

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] **Present students**
16 **with information on contraceptives, pregnancy, and abortion in a manner consistent with**
17 **the provisions of 42 U.S.C. Section 710;**

18 (4) Include a discussion of the possible emotional and psychological consequences of
19 preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as
20 well as the advantages of adoption, including the adoption of special needs children, and the
21 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 2. Policies concerning referrals and parental notification regarding contraception shall
33 be determined by local school boards **or charter schools**, consistent with the provisions of
34 section 167.611, RSMo.

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

37 4. The board of a school district **or charter school** shall determine the specific content
38 of the district's **or school's** instruction in human sexuality, in accordance with subsections 1 to
39 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age
40 of the students receiving such instruction.

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

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

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

47 6. A school district **or charter school** shall make all curriculum materials used in the
48 district's **or school's** human sexuality instruction available for public inspection pursuant to
49 chapter 610, RSMo, prior to the use of such materials in actual instruction.

50 **7. No school district or charter school, or its personnel or agents, shall provide**
51 **abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner**
52 **any course materials or instruction relating to human sexuality or sexually transmitted**
53 **diseases to its students if such person or entity is a provider of abortion services.**

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

55 (1) "Abortion", the same meaning as such term is defined in section 188.015,
56 RSMo;

57 (2) "Abortion services":

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

59 (b) Encouraging a patient to have an abortion or referring a patient for an
60 abortion; or

61 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to
62 induce an abortion which is not necessary to save the life of the mother.

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