

HCS HB 1055 -- SEXUAL EDUCATION AND ABORTIONS (Sander)

COMMITTEE OF ORIGIN: Special Committee on Family Services

This substitute changes the laws regarding sexual education instruction in public schools and abortions. In its main provisions, the substitute:

(1) Revises the requirements for the presentation of information in public schools relating to contraception and sexually transmitted diseases by adding the option of presenting students with information on contraceptives and pregnancy in a manner consistent with federal abstinence laws. Currently, students must be presented with the latest medically factual information regarding sexually transmitted diseases and the side effects, health benefits, and failure rates for methods of preventing pregnancy;

(2) Prohibits school districts and charter schools from providing abortion services or allowing a person or entity who provides abortion services from offering, sponsoring, or furnishing course materials related to human sexuality and sexually transmitted diseases;

(3) Defines "medical emergency" as a condition which, on the basis of a physician's good-faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion of her pregnancy to prevent the death of the pregnant woman or for which delay will create a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman;

(4) Changes certain penalties relating to abortion by including penalties for those persons who knowingly induce or aid in the inducing of an abortion. Currently, there are penalties for any person who knowingly performs or aids in the performance of a abortion;

(5) Provides for an affirmative medical emergency defense for violations of any abortion provision;

(6) Establishes the Missouri Alternatives to Abortion Services Program to provide services or counseling to pregnant women and assistance to mothers in caring for their children or placing them up for adoption. Counseling and services are available to a woman during her pregnancy and for one year after the birth of her child. The substitute also establishes the Missouri Alternatives to Abortion Public Awareness Program which requires the department or departments administering the program to develop an advertising campaign publicizing alternatives to

abortion and to prioritize federal, public, and private moneys so that they are used first to fund these programs. The department or departments administering the programs may contract with public or private agencies to provide services or counseling. These programs and their funds will not be used to perform, induce, or assist in abortions; and

(7) Changes the definition of "ambulatory surgical center" in Section 197.200, RSMo, to include any establishment operated for the purpose of performing or inducing any second or third trimester abortion or which performs at least five or more first trimester abortions per month.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Less than \$130,306 in FY 2008, Less than \$136,797 in FY 2009, and Less than \$137,901 in FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.