

HCS HB 1055 -- SEXUAL EDUCATION AND ABORTIONS

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

(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 success and failure rates for 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) Expands the crime of knowingly performing or aiding in the performance of an abortion by adding inducing or aiding in the inducing of an abortion, a class A misdemeanor, unless a different penalty is provided for in state law;

(5) Provides for an affirmative medical emergency defense for a violation 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 bill 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. Public and private agencies providing alternatives to abortion program counseling services are prohibited from providing an abortion referral; and

(7) Revises 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.