

SECOND REGULAR SESSION

HOUSE BILL NO. 1730

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COX (Sponsor), GATSCHENBERGER, FUHR, WIELAND,
ZERR AND FISHER (Co-sponsors).

5762L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.724, to read as follows:

- 191.724. 1. Notwithstanding any other provision of law to the contrary, no employee, self-employed person, or any other person shall be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person.**
- 2. No employer, health plan provider, health plan sponsor, health care provider, or any other entity shall be compelled to provide coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employer, health plan provider, health plan sponsor, health care provider, or entity.**
- 3. No governmental entity, public official, or entity acting in a governmental capacity shall discriminate against or penalize a health plan, plan sponsor, health care provider, employer, employee, or other entity or person because of such plan's, sponsor's, provider's, employer's, employee's, entity's, or person's unwillingness, based on religious**

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.

16 beliefs or moral convictions, to provide or obtain coverage for, participate in, or refer for,
17 abortion, contraception, or sterilization in a health plan.

18 **4. Whenever the attorney general has a reasonable cause to believe that any entity**
19 **or person or group of entities or persons is being, has been, or is threatened to be, denied**
20 **any of the rights granted by this section or other law that protects the religious beliefs or**
21 **moral convictions of such entities or persons, and such denial raises an issue of general**
22 **public importance, the attorney general shall bring a civil action in any appropriate state**
23 **or federal court. Such complaint shall set forth the facts and request such appropriate**
24 **relief, including, but not limited to, an application for a permanent or temporary**
25 **injunction, restraining order, or other order against the person or persons, including**
26 **public officials, or the entity or entities, including a governmental entity or entity acting**
27 **in a governmental capacity, responsible for such denial or threatened denial of rights, as**
28 **the attorney general deems necessary to ensure the full enjoyment of the rights granted by**
29 **law. Nothing contained herein shall preclude a private cause of action by any person or**
30 **entity aggrieved by a violation of this section or other law that protects the religious beliefs**
31 **or moral convictions of such entities or persons, or be considered a limitation on any other**
32 **remedy permitted by law. A court may order any appropriate relief, including recovery**
33 **of damages, payment of reasonable attorney's fees, costs, and expenses.**

Section B. Because immediate action is necessary to preserve the religious freedom and
2 moral convictions of persons and entities who provide or obtain health insurance and health care
3 for themselves, employees, patients and others, and because certain actions by the federal
4 government threaten the providing or obtaining of such health care and health insurance as of
5 August 1, 2012, this act is deemed necessary for the immediate preservation of the public health,
6 welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of
7 the constitution, and this act shall be in full force and effect upon its passage and approval.

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