

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2129

99TH GENERAL ASSEMBLY

5376H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to public awareness of organ donation.

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

Section A. Chapter 170, RSMo, is amended by adding thereto one new section, to be
2 known as section 170.311, to read as follows:

**170.311. 1. For school year 2019-20 and each school year thereafter, upon
2 graduation from high school, students in public schools, including charter schools, shall
3 have received thirty minutes of instruction that provides information on decisions about
4 organ, eye, and tissue donation, given any time during a student's four years of high school.**

**5 2. Beginning in school year 2019-20 and continuing thereafter, any public school,
6 including any charter school, serving grades nine through twelve shall provide enrolled
7 students instruction that provides information on decisions about organ, eye, and tissue
8 donation. Each school district, including each charter school, shall include the instruction
9 in any existing curriculum for a subject selected by the school district or charter school.
10 Instruction shall be based on a program established by Gift of Life, Inc. or through a
11 nationally recognized program that provides unbiased information on organ, eye, and
12 tissue donation. Instruction may be provided as part of an online educational course
13 maintained by a third party. The department of elementary and secondary education shall
14 provide information on its website about any online educational course maintained by a
15 third party that meets the requirements of this section.**

**16 3. Instruction described under this section shall not include any information related
17 to aborted fetal tissue.**

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.

18 **4. The parent or guardian of any student, or any student eighteen years of age or**
19 **older, shall have the right to remove the student from all or any part of the instruction**
20 **described under this section based on any sincerely held religious or emotional belief of the**
21 **student or parent. Any student so removed shall not be penalized for his or her**
22 **nonattendance in any manner.**

23 **5. The department of elementary and secondary education may promulgate rules**
24 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
25 **defined in section 536.010, that is created under the authority delegated in this section shall**
26 **become effective only if it complies with and is subject to all of the provisions of chapter**
27 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
28 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
29 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
30 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
31 **after August 28, 2018, shall be invalid and void.**

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