

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1034, Page 1, Section A, Line 2, by inserting after all of said section and
2 line the following:

3
4 "1.670. 1. This section shall be known and may be cited as the "Missouri Declaration of the
5 Rights of the Child Act".

6 2. The Missouri declaration of the rights of the child shall be as follows:

7 (1) In all actions concerning a child, whether undertaken by public or private social welfare
8 institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the
9 child shall be a primary consideration;

10 (2) It is the policy of the state to ensure that a child shall not be separated from the child's
11 parents against the child's will except if competent authorities subject to judicial review determine,
12 in accordance with applicable law and procedures, that the separation is necessary for the best
13 interests of the child. Such determination may be necessary in a case involving abuse or neglect of
14 the child by the parents or if the parents are living separately and a decision will be made as to the
15 child's place of residence;

16 (3) It is the policy of the state to combat the illicit transfer and nonreturn of a child;

17 (4) It is the policy of the state to assure to a child who is capable of forming his or her own
18 views the right to express those views freely in all matters affecting the child, with the views of the
19 child being given due weight in accordance with the age and maturity of the child;

20 (5) It is the policy of the state that a child is provided an opportunity to be heard in any
21 judicial or administrative proceeding affecting the child, either directly or through a representative
22 or an appropriate body, in a manner consistent with procedural rules of law;

23 (6) It is the policy of the state that a child shall have the right to freedom of expression.
24 Such right shall include freedom to seek, receive, and impart information and ideas of all kinds
25 either orally, in writing, or in print; in the form of art; or through any other media chosen by the
26 child;

27 (7) The state recognizes the right of the child to freedom of thought, conscience, and
28 religion;

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1 (8) The state recognizes the rights and duties of the parents, or legal guardians if applicable,
2 to provide direction to the child in the exercise of the child's rights in a manner consistent with the
3 evolving capacities of the child;

4 (9) The state recognizes the rights of the child to freedom of association and freedom of
5 peaceful assembly;

6 (10) It is the policy of the state that no child shall be subjected to arbitrary or unlawful
7 interference with his or her privacy, family, home, or correspondence;

8 (11) The state recognizes that both parents have common responsibilities for the upbringing
9 and development of a child. Parents, or legal guardians if applicable, have the primary
10 responsibility for the upbringing and development of the child. The best interests of the child shall
11 be the parents', or legal guardians' if applicable, basic concern;

12 (12) It is the policy of the state to render appropriate assistance to parents, or legal guardians
13 if applicable, in the performance of their child-rearing responsibilities and to ensure the
14 development of institutions, facilities, and services for the care of the child;

15 (13) It is the policy of the state to ensure that children of working parents have the right to
16 benefit from child care services and facilities for which the children are eligible;

17 (14) The state shall take all appropriate legislative, administrative, social, and educational
18 measures to protect the child from all forms of physical or mental violence; injury; and abuse,
19 neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse, while in the
20 care of the parents, the legal guardians, or any other person or entity;

21 (15) A child temporarily or permanently deprived of his or her family environment, or in
22 whose best interests cannot be allowed to remain in that environment, shall be entitled to special
23 protection and assistance provided by the state;

24 (16) It is the policy of the state that a child has a right to the highest attainable standard of
25 health and to facilities for the treatment of illness and rehabilitation of health. The state shall ensure
26 that no child is deprived of his or her right of access to such health care services;

27 (17) The state recognizes the right of the child to education that shall be directed toward:

28 (a) The development of the child's personality, talents, and mental and physical abilities to
29 the child's fullest potential;

30 (b) The development of respect for human rights and fundamental freedoms and for the
31 principles enshrined in the Charter of the United Nations;

32 (c) The development of respect for the child's parents and the child's cultural identity,
33 language, and values; for the national values of the country in which the child is living and the
34 country from which the child may originate; and for civilizations different from the child's
35 civilization;

36 (d) The preparation of the child for a responsible life in a free society in the spirit of:

37 a. Understanding;

38 b. Peace;

39 c. Tolerance;

1 d. Equality of sexes; and

2 e. Friendship among all:

3 (i) People;

4 (ii) Ethnic, national, and religious groups; and

5 (iii) Persons of indigenous origin; and

6 (e) The development of respect for the natural environment;

7 (18) The state recognizes the right of the child to rest and leisure, to engage in play and
8 recreational activities appropriate to the age of the child, and to participate freely in cultural life and
9 the arts;

10 (19) The state recognizes the right of the child to be protected from economic exploitation
11 and from performing any work that is likely to be hazardous or to interfere with the child's
12 education, or to be harmful to the child's health or physical, mental, spiritual, moral, or social
13 development; and

14 (20) The state recognizes the right of a child to be free from sexual exploitation or abuse.";
15 and

16
17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.