

FIRST REGULAR SESSION

# HOUSE BILL NO. 1197

103RD GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE BAKER.

2650H.011

JOSEPH ENGLER, Chief Clerk

---

## AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to private school immunity from civil liability for certain actions, with an emergency clause.

---

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be  
2 known as section 160.231, to read as follows:

**160.231. 1. As used in this section, the following terms mean:**

2 **(1) "Multiple-occupancy restroom or changing area", an area in a private school**  
3 **building designed or designated to be used by more than one individual at a time and**  
4 **where individuals may be in various stages of undress in the presence of other**  
5 **individuals. The term includes, but is not limited to, a school restroom, locker room,**  
6 **changing room, or shower room;**

7 **(2) "Sex", the physical condition of being male or female based on genetics and**  
8 **physiology as identified on the individual's original birth certificate.**

9 **2. A private school that serves students in prekindergarten to grade twelve shall**  
10 **not be civilly liable for establishing, to ensure privacy and safety, one or more multiple-**  
11 **occupancy restrooms or changing areas designated as follows:**

12 **(1) For the exclusive use of the male sex; or**

13 **(2) For the exclusive use of the female sex.**

14 **3. The provisions of this section shall not apply to individuals entering a**  
15 **multiple-occupancy restroom or changing area designated for use by the opposite sex**  
16 **when entering:**

17 **(1) For custodial, maintenance, or inspection purposes; or**

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           **(2) To render emergency medical assistance.**

19           **4. (1) No political subdivision shall adopt any ordinance, rule, or regulation**  
20 **prohibiting a private school from establishing one or more multiple-occupancy**  
21 **restrooms or changing areas as provided in this section.**

22           **(2) If a political subdivision adopts an ordinance, rule, or regulation in violation**  
23 **of subdivision (1) of this subsection, such political subdivision shall pay the attorney's**  
24 **fees and costs incurred by a private school in such private school's legal defense against**  
25 **such ordinance, rule, or regulation.**

          Section B. Because immediate action is necessary to protect private schools from  
2 liability and allow preparation for the 2025-26 school year, section A of this act is deemed  
3 necessary for the immediate preservation of the public health, welfare, peace, and safety, and  
4 is hereby declared to be an emergency act within the meaning of the constitution, and section  
5 A of this act shall be in full force and effect upon its passage and approval.

✓