

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1197
103RD GENERAL ASSEMBLY

2650H.02C

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;**

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

19 **(3) As a parent or guardian accompanying their child, who is eight years of age**
20 **or younger, with the permission of the school.**

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

24 **(2) If a political subdivision adopts an ordinance, rule, or regulation in violation**
25 **of subdivision (1) of this subsection, such political subdivision shall pay the attorney's**
26 **fees and costs incurred by a private school in such private school's legal defense against**
27 **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.

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