

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4672H.02P  
 Bill No.: Perfected HCS for HB 2426  
 Subject: Children and Minors; Family Law; Abortion; Health Care; Elementary and Secondary Education; Mental Health  
 Type: Original  
 Date: April 29, 2026

Bill Summary: This proposal establishes provisions relating to parental rights.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	More or less than (\$1,113,298 to \$1,213,298)	More or less than (\$1,404,581 to \$1,854,581)	More or less than (\$1,420,103 to \$1,870,103)
<b>Total Estimated Net Effect on General Revenue</b>	<b>More or less than (\$1,113,298 to \$1,213,298)</b>	<b>More or less than (\$1,404,581 to \$1,854,581)</b>	<b>More or less than (\$1,420,103 to \$1,870,103)</b>

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
State Legal Expense Fund (1692)**	\$0	\$0	\$0
Other State Funds***	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Colleges and Universities***	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*\*Transfers and distributions net to zero.

\*\*\*The potential fiscal impact to various state funds (and local political subdivisions) stems from a new cause of action that can be brought against the state and other entities in §§1.390, 1.391 and 431.061.

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Federal Funds*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\***Oversight** assumes the loss of federal funds could reach the \$250,000 threshold.

**ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	7 FTE	8 FTE	8 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>7 FTE</b>	<b>8 FTE</b>	<b>8 FTE</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

**ESTIMATED NET EFFECT ON LOCAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Local Government*</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*Potential litigation costs.

## FISCAL ANALYSIS

### ASSUMPTION

**Oversight** was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year's information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

### §§1.390 and 1.391 – Parental Rights

In response to a previous version, officials from the **Department of Social Services (DSS), Division of Legal Services (DLS)** stated section 1.390 is new and definitions of both a “child” and a “parent”. It also provides that a parent has a fundamental liberty interest in the care, custody, and control of such parent's child, including the right to direct the upbringing, education, health care, and mental health of the child free from government interference. It further provides that government shall not interfere with this fundamental right unless the governmental authority demonstrates that the interference furthers a compelling governmental interest and is the least-restrictive means of furthering that compelling interest. New language in this proposal adds that any interference shall be subject to judicial review by a court of competent jurisdiction, which shall determine if the governmental authority has satisfied the burden of proof set forth in this subsection. Nothing in the section is to be construed as allowing any person to cause physical injury to another, to possess a weapon otherwise authorized by law, or to fail to provide health care for a child suffering from a life-threatening condition.

Section 1.391: Provides a list of parental rights that are exclusively reserved to a parent of a child without obstruction by or interference from this state, any political subdivision of this state, any other governmental entity, or any other institution. This is to include education and access educational records, as well as various other ideas such as directing the upbringing of a child and making all health care decisions. This also includes:

1.391.1(9) *To consent in writing before any governmental authority makes a video or audio recording of a child, unless, without abrogating rights secured under the 4<sup>th</sup> Amendment to the US Constitution, the recording is made as part of:*

*(a) A court proceeding;*

*(b) A law enforcement investigation;*

*(c) A forensic interview in a criminal or **department of social services investigation;***

*(d) The security or surveillance of buildings or grounds; or*

*(e) A photo identification card;*

(10) To be notified promptly if any governmental authority suspects that abuse, neglect, or any criminal offense has been committed against the child, unless the governmental authority reasonably believes that notifying the parent is likely to endanger the life or physical safety of the child...

Also included is the right to have the child excused from school attendance for religious purposes, the right to participate in parent-teacher organizations, the right to receive, upon first contact with a representative of the **Department of Social Services**, an accurate written itemization containing all details of any reports or allegations concerning abuse or neglect of the child which the division has received, excluding only the name of the person who provided the reports or made the allegations, and the right to view a publicly available accounting of all financial transactions conducted with school district funds without having to make a formal request.

Section 1.391.2: This section also provides that “Except for law enforcement personnel, a governmental authority shall not encourage or coerce a child to withhold information from the child's parent; nor shall a governmental authority withhold from a child's parent information that is relevant to the physical, emotional, or mental health of the child.”

Section 1.391.3: Provides for a parental cause of action where a parent who believes his or her rights have been violated under this section or section 1.390. The parent may assert that violation as a claim or defense in a judicial or administrative proceeding, regardless of whether the government is a party to the proceeding, and obtain appropriate relief against the government, including declaratory relief, injunctive relief, compensatory damages, and reasonable attorney's fees and costs.

There is an anticipated fiscal impact of seven (7) FTE (one for each geographic region) in DLS-litigation for additional attorneys. Should this bill pass, litigation attorneys would spend additional time briefing and in court. Additionally, as the language in Section 1.391.3 purports to make governmental entities liable in proceedings where they are not parties for alleged violations, DLS litigation attorneys may be required to attend many hearings where they otherwise would not attend.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the DSS/DLS.

Officials from the **Office of Administration (OA)** state sections 1.390 and 1.391 of this legislation create provisions and damages relating to governmental interference of all parental rights. This has the potential to increase costs to the LEF but would be subject to judicial construction; therefore, the cost is unknown.

**Oversight** does not have any information contrary to that provided by OA. Therefore, Oversight will reflect OA's potential unknown impact for fiscal note purposes to the State Legal Expense Fund. Oversight notes the Legal Expense Fund is funded by the General Revenue Fund as well

as other state funds and federal funds. Oversight notes this possible litigation exposure as described by OA could also apply to colleges and universities and local political subdivisions.

#### §162.192 – School Financial Ledger

Officials from **Department of Elementary and Secondary Education (DESE)** assume some ITSD costs may be incurred if this legislation is passed. Modifications to the Annual Secretary of the Board Report (ASBR) also DESE and Office of Data System Management (ODSM) will collect any historical information in a standard data layout, that aligns with the database/fields they define and compile all data from the school districts.

In addition to this, this section allows DESE to withhold state aid from schools who have violated the provisions in section 162.192. If DESE were to withhold state aid, this could trigger due process and lead to hearings to resolve the issue. DESE estimates the cost of hearings to between \$0 to \$100,000 but notes that this will depend on the amount of hearings that are required.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the ITSD and hearings impact as estimated by DESE in the fiscal note for this agency.

Oversight notes §162.192.10 states if the department finds that any school district has violated the provision of this section, the department may withhold state aid to which the school district is entitled under chapter 163 until the school district proves to the satisfaction of the department that the school district is no longer in violation of this section. Oversight notes it is indeterminable how many districts would violate this section or how long it would take to remediate the violation. Therefore, Oversight will show potential savings, \$0 or unknown, to DESE for withholding school aid and a Revenue loss, \$0 to (unknown) to school districts that are found to be in violation.

In response to similar legislation, SCS for SB 1029 (2026), officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

In response to similar legislation, SCS for SB 1029 (2026), officials from **Republic R-III School District** assumed this bill may require school districts to hire an additional person in the business services part of the school district. In the Republic School District, they would likely shift some duties to ensure compliance with the law. These shifts may cause an additional part-time opening

which would cost approximately \$30,000. There could be additional costs associated with the State Auditor taking civil action against a district.

In response to similar legislation, SB 1029 (2026), officials from the **Wellington-Napoleon R-IX School District** noted there are already state requirements written in statute on the quarterly and annual reporting of school finance to the state, and public. This information is already readily available on school websites and the DESE site on an annual basis through the ASBR (Annual Secretary of the Board Report).

In response to similar legislation, SB 1029 (2026), officials from the **Sedalia 200 School District** noted that they already are fulfilling the requirements of the proposal and further noted that each month this information is published in the board packet. It is also part of every budget amendment and the final budget amendment.

**Oversight** assumes there is potential for additional IT cost for school districts that would need to update their website to provide a link directly to their district's financial ledger as defined in the proposal. Oversight notes school districts are responsible to update the ledger monthly. Furthermore, they must maintain complete financial ledger data for no fewer than the five prior fiscal years on their website. Therefore, Oversight will show a cost to school districts as zero (school is currently compliant) to unknown cost in the fiscal note.

In response to a previous version, officials from the **DSS** state this section relates to school districts, "financial ledgers", and publicly accessible databases maintained by school districts. Section does not impact DLS or DSS.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency for this section.

#### §431.061 - Modifies Who May Give Consent to Surgical or Medical Treatment

In response to a previous version, officials from the **DSS** stated section 431.061 relates to the power of an individual to make decisions about one's own health care decisions. The language as it relates to minors has been modified. The proposed language removes health decisions related to venereal diseases and substance abuse as health conditions that a minor can consent to. The language currently indicates that minors can make their own decisions as it relates to pregnancy, excluding abortions.

DSS did not indicate a fiscal impact on their organization for this section. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency for this section.

Responses Regarding the Previous Version as a Whole (§§1.391, 162.192 & 431.061)

In response to a previous version, officials from the **City of Kansas City** stated the proposed legislation has a negative fiscal impact as it increases the City's potential liability.

Although Oversight received limited responses from city officials, Oversight assumes that cities statewide could be negatively impacted by this proposal due liability issues. Therefore, for fiscal note purposes, Oversight will show a cost of \$0 or Unknown to city governments for potential increased costs due to increased liability.

In response to similar legislation, SB 948 (2026), officials from the **Richland R-I School District** assumed the provisions allowing parents to make “reasonable choices within public schools” for a child’s education created an open-ended and undefined obligation for school districts that could result in unknown and potentially significant costs.

Unlike existing mandates tied to disability or statutory programs, these provisions may require districts to respond to individualized instructional requests based solely on parental preference, including alternative materials, pacing, instructional methods, or supervision, without clear limits or funding mechanisms. Additionally, restrictions on video and voice recordings absent written parental consent may increase staffing, documentation, compliance tracking, and administrative burdens while reducing operational efficiency in instruction, supervision, discipline, and investigations.

Because the scope, frequency, and complexity of such requests cannot be reasonably projected, district officials are unable to estimate the fiscal impact, which would be borne by local districts and could be significant, particularly for districts with limited staffing capacity.

In response to similar legislation, SB 948 (2026), officials from the **Republic R-III School District** stated if this proposal were to become law, it would absolutely have a fiscal impact to school districts (it is hard to quantify but it will happen). The proposal will eventually increase costs for liability insurance companies, school districts, and perhaps even taxpayers.

In response to similar legislation, SB 948 (2026), officials from the **High Point R-III School District** indicated they anticipate a fiscal impact, but do not elaborate on the specifics of any potential costs.

Based on the responses from the Richland R-I School District and Republic R-III School District indicating potential litigation related costs and broad variety of possible school district obligations, **Oversight** will show a cost of \$0 or Unknown to schools for potential increased costs in the fiscal note.

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposal may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

**Oversight** notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 or (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

In response to a previous version, officials from the **Missouri Consolidated Health Care Plan, Office of Administration - Administrative Hearing Commission, City of O'Fallon** and **Northwest Missouri State University** each assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

#### House Amendment 1 – (§161.854) Special Education Records

Officials from **Department of Elementary and Secondary Education (DESE)** assume this would require DESE to develop a consent model form for school districts to use with parents. DESE assumes the development of this consent model can be absorbed by current staff and that translation of documents would be the responsibility of each school district depending upon their individual needs.

DESE assumes these changes would lead to a substantial increase in child complaint filings. The investigation of these complaints by DESE will require an additional FTE Investigative Compliance Manager including their salary and associated expenses and equipment. Complaints could also lead to litigation which would have increased litigation costs, up to 20-25%, in the form of mediation expenses, deposition costs, transcription costs, and additional burden on the Administrative Hearing Commission (AHC).

If DESE participates in mediation with parents/LEAs (Local Education Agencies), DESE anticipates \$750-\$1,000 per case in attorney fees and transcripts, if depositions or additional transcripts are needed during the case anticipate \$750-\$2,500 per case. Each case has additional costs for the AHC depending on the complexity of the case. Additionally, the number of cases and hearings have increased over the last several years resulting in higher costs to DESE. In 2023, DESE spent \$80,305 on AHC and Transcripts, in 2024, that amount increased to \$161,289. In 2025, costs increased to \$225,467. Costs for 2026 are not yet complete as eight due process requests have been filed since October and are currently in process. However, once these are completed it is likely that costs will exceed those of 2025. Thus, DESE is showing a potential cost of \$0-\$350,000 depending on the number of filings and the complexity of each case.

In response to similar legislation, HCS for HB 477 (2025), **DESE** also provided that Missouri already has four types of dispute resolution available to families should they disagree with the changes a LEA determines at the time the IEP is implemented. The Prior Written Notice the LEA utilizes to document their decision provides for 10 days waiting period before implementation and those decisions must be based on documentation throughout the IEP and data, to justify those changes. The parent always has access to suggest or request any of the four dispute resolution options to address their opposition to the LEAs Prior Written Notice.

**Oversight** does not have information to the contrary. Therefore, Oversight will reflect the estimates provided by DESE in the fiscal note.

In response to similar legislation, HB 477 (2025), officials from the **DESE** stated they would be required to develop and have translated documents for school districts to use with parents. DESE assumes translation of documents would be approximately \$1,000 per language with an estimated 35 languages required. This would total \$35,000. DESE is requesting these funds annually as any changes/updates to forms would require translation.

In response to similar legislation, HB 477 (2025), officials from **DESE** stated the Office of Special Education with DESE already provides for the publication of a document called the Procedural Safeguards, which must be provided to all families of children with disabilities served in public and charter schools under the Individuals with Disabilities Education Act. They currently translate that document into 35 different languages based on constituents' needs in Missouri. When looking at the cost per document for translation of those languages most recently translated, the range was anywhere from \$200 to nearly \$1,000 each based on the availability of a translator for that language and the contractor to provide the translation.

**Oversight** notes according to 34 CFR 300.503, the public agency (typically the school district) is responsible for providing the necessary prior notice to parents of children with disabilities, which means they essentially "pay" for the cost of delivering this information, including translating it into the parent's native language if needed; the parents do not directly pay for this notice. Oversight has no way to determine how many documents will need to be translated or into how many languages. The provisions of this proposal become effective on July 1, 2027. Oversight will reflect an unknown cost to school districts for translation costs beginning in FY 2028 to the school districts.

Officials from the **Department of Mental Health (DMH)** state House Amendment 1 adds provisions related to parental consent related to changes made to individualized education programs (IEPs). The DMH assumes that educational services provided by Hawthorn Children's Psychiatric Hospital is included in the definition of "public school" contained in Section 160.011, RSMo. To the extent that Hawthorn educational staff are involved with the IEP process, such staff will need to be familiar with the changes proposed. Additionally, to the extent that "state-paid mediation" is chosen when there is a disagreement during the IEP process, there could be a fiscal impact. However, the fiscal impact is unknown.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the unknown impact as provided by the DMH. Oversight assumes the fiscal impact will be less than \$250,000 annually.

In response to similar legislation, HB 2304 (2026), officials from the **Office of Administration - Administrative Hearing Commission** assumed the proposal would have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

In response to similar legislation, HB 2304 (2026), officials from the **High Point R-III School District** assumed the proposal would have a fiscal impact on their organization but did not provide any additional information.

In response to similar legislation, HCS for HB 477 (2025), officials from **Washington School District** assumed the financial impact could be approximately \$ 125,000 annually. (Director of Special Education Training \$5,000, Special Education Training and additional meeting times that could impact workdays and instruction time with students \$20,000, Legal ramifications if conflicts arise between parents and educators \$100,000)

In response to similar legislation, HCS for HB 477 (2025), officials from **Fayette R-III School District** stated they have been fortunate to not have very many disagreements with parents in regard to IEP changes for placement or services either one. However, if complete control is given to parents, the school's ability to do what is best for the educational interest of the student would require legal fees. They would estimate the cost could range from 40K to 200k per year depending on the severity of the disagreement and the educational impact on the student.

In response to similar legislation, HB 477 (2025), officials from **Lafayette Co. C-1 School District** assumed that creating a situation where parents have to consent to every piece of the IEP document will create a system where additional staff are needed to complete the paperwork required to maintain federal compliance. For their district that would amount to approximately \$75,000 in additional staff costs. Further, if only 5% of their families with students with IEPs required a Due Process proceeding to ensure the child receives FAPE, that would require approximately \$350,000 (7 families times \$50,000 per due process hearing) to continue to serve their students. They would be required to raise their local levy approximately .45 to have the revenue to handle this additional cost.

In response to similar legislation, HB 477 (2025), officials from **Marquand-Zion R-VI School District** assumed due process hearings can cost from \$5,000 to \$20,000, depending on what is involved.

In response to similar legislation, HB 477 (2025), officials from **Osage Co. R-I School District** assumed AASA's survey of 200 school superintendents found that the average legal fees for a due process hearing were \$10,512.50. The average district expenditure for a due process hearing was approximately \$16,000. (Source: Gomez, M. M., Morgan, V. R., Schanding, G. T., &

Cheramie, G. M. (2022). Due Process Case Issues for Students With Emotional Disturbance. Sage Open, 12 (1). Their district has approximately 20 special education students. If half of the IEPs in a year required a due process hearing, it would cost the district \$160,000 per year.

In response to similar legislation, HB 477 (2025), officials from **Raymore-Peculiar R-II School District** assumed districts would need to consider building substitutes (if they can be hired) to cover the need for extra meetings. An additional building sub for every building is a considerable cost. For their district, potentially 12 additional FTEs = \$36,000 per FTE x 12 = \$432,000 annually.

Increases the likelihood of forcing districts to increase reliance on contractual staff. Hourly rate for special education teachers for most contractual agencies is approximately \$80/hr. = \$640/day @ 169 days = \$108,160 per employee.

\$90,000 for due process (6 months to hearing) Parents' lawyer min \$9600 for the Due Process meeting alone.

Daily cost of subs for three teachers at a minimum @ \$175/day x 3 = \$525

District filing Due Process \$90,000 per case.

In response to similar legislation, HB 477 (2025), officials from **Republic R-III School District** assumed this Bill has the real possibility to add significant cost for school districts. For instance, if a student has an IEP for a behavior diagnosis and, for safety reasons the IEP team believes a more restrictive environment for the student is appropriate, then if the parent disagrees, the district is going to have to spend a considerable sum of money (if the district has to file due process-I am estimating that to be more than \$10,000 per occurrence) to ensure that the student is not a safety concern for others or him/herself. The way they understand this Bill, it seems that there could be safety concerns for the health and well-being of all students, but also considerable costs if the IEP team has disagreement with parents. Additionally, this Bill has the potential to require more paperwork and amendments to IEPs, which will lead to increased workloads on special education teachers and supervisors. Special education teachers are already in very short supply, and if they make the processes more difficult and intricate, the unanticipated response is going to be special education teachers leaving the profession or the need to hire additional people for the increased workload.

In response to similar legislation, HB 477 (2025), officials from **Richland R- IV School District** assumed the financial impact for HB477 could be approximately \$ 60,000 annually. (Director of Special Education Training \$5,000, Special Education Training and additional meeting times that could impact workdays and instruction time with students \$20,000, Legal ramifications if conflicts arise between parents and educators \$100,000)

In response to similar legislation, HB 477 (2025), officials from **Warrensburg R-VI School District** assumed the Warrensburg R-VI School District used past due process filing data to calculate an average cost for just legal services and insurance deductibles to determine the following:

If 10% of parents/guardians of students with IEPs (538 students with an IEP in total) disagreed with the decision of the IEP team and the district was forced to file for due process the cost is estimated to be \$1,007,000 or just over 2% of their total district expected revenue for 2024-25 school year. The district has not had a full due process hearing in recent years as disagreements were resolved through resolutions or agreed through the findings of a third party's Individualized Education Evaluation. As such the cost for a full due process would be higher than what is listed here.

Past demands by parents/guardians that were deemed inappropriate based on the student's needs by the IEP team have ranged from the number of minutes in a classroom that have little to no cost to demands requiring the hiring of additional staff at \$30,000-\$70,000 (largely depending on the demand of being certified or classified staff) to tuition, special schools, or other contracted services that would have cost the district \$124,000 per year per student.

In response to similar legislation, HB 477 (2025), officials from **Worth Co. R-III School District** assumed Yearly cost: \$110,000 (3% of budget)  
Additional Teacher: \$55,000 - SPED staff already over limit on capabilities  
IEP Meetings: \$5000  
Due Process: \$50,000

The provisions of this proposal become effective on July 1, 2026. Therefore, the costs will be reflected in FY 2027 in the fiscal note. Furthermore, Oversight would assume that this cost would be unknown but ongoing with new enrollment which would bring forth an opportunity for new cases requiring due process.

#### Responses Regarding the Proposed Legislation as a Whole as Amended

Officials from the **Department of Commerce and Insurance, Department of Corrections, Department of Health and Senior Services, Department of Higher Education and Workforce Development, Department of Labor and Industrial Relations, Department of Public Safety - Missouri Highway Patrol, Missouri Department of Conservation, Missouri Department of Transportation, Newton County Health Department, Phelps County Sheriff's Department, Branson Police Department, Kansas City Police Department and University Of Central Missouri** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties, local health departments, circuit clerks, public

administrators, law enforcement agencies, schools, and colleges were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>GENERAL REVENUE</b>			
<u>Cost – DSS/CD (§§1.390 and 1.391) p.3-4</u>			
Personal service	(\$613,208)	(\$743,208)	(\$750,640)
Fringe benefits	(\$341,926)	(\$413,270)	(\$416,259)
Equipment and expense	(\$100,897)	(\$81,217)	(\$83,248)
<u>Total Costs - DSS/CD</u>	<u>(\$1,056,031)</u>	<u>(\$1,237,695)</u>	<u>(\$1,250,147)</u>
FTE Change - DSS/CD	7 FTE	7 FTE	7 FTE
<u>Transfer Out – OA (§§1.390 and 1.391) To the State Legal Expense Fund for potential increase in litigation p.4</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost – OSCA (§§1.390, 1.391, 162.192, &amp; 431.061) Potential increase in court costs p.7</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost – DESE (§161.854) p.8-9</u>			
Personal Service	\$0	(\$88,971)	(\$90,750)
Fringe Benefits	\$0	(\$52,120)	(\$52,836)
Expense & Equipment	\$0	(\$14,055)	(\$14,336)
<u>Total Costs – DESE</u>	<u>\$0</u>	<u>(\$155,146)</u>	<u>(\$157,922)</u>
FTE Change – DESE	0 FTE	1 FTE	1 FTE
<u>Cost – DESE (§161.854) Hearing/ Litigation p.8-9</u>	\$0	\$0 to (\$350,000)	\$0 to (\$350,000)
<u>Cost – DMH (§161.854) Potential state-paid mediation p.9</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Savings – DESE (§162.192) State aid withheld p.5</u>	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<u>Cost – DESE (§162.192) OSDM changes p.5</u>	(\$57,267)	(\$11,740)	(\$12,034)
<u>Cost – DESE (§162.192) Hearings p.5</u>	\$0 to (\$100,000)	\$0 to (\$100,000)	\$0 to (\$100,000)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>More or less than (\$1,113,298 to <u>\$1,213,298</u>)</b>	<b>More or less than (\$1,404,581 to <u>\$1,854,581</u>)</b>	<b>More or less than (\$1,420,103 to <u>\$1,870,103</u>)</b>
Estimated Net FTE Change on General Revenue	7 FTE	8 FTE	8 FTE
<b>STATE LEGAL EXPENSE FUND (1692)</b>			
<u>Transfer In – (§§1.390 and 1.391) From General Revenue and other State and Federal funds p.4</u>	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost – OA (§§1.390 and 1.391) Potential increase in litigation p.4</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON THE STATE LEGAL EXPENSE FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>OTHER STATE FUNDS</b>			
<u>Transfer Out – OA (§§1.390 and 1.391) To the State Legal Expense Fund for potential increase in litigation p.4</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT OTHER STATE FUNDS</b>	<b><u>\$0 or (Unknown)</u></b>	<b><u>\$0 or (Unknown)</u></b>	<b><u>\$0 or (Unknown)</u></b>

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>COLLEGES AND UNIVERSITIES</b>			
<u>Cost</u> – (§§1.390 and 1.391) Potential increase in litigation p.4	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>
<b>FEDERAL FUNDS</b>			
<u>Transfer Out – OA</u> (§§1.390 and 1.391) To the State Legal Expense Fund for potential increase in litigation p.4	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT TO FEDERAL FUNDS</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Cost</u> – City governments (§§1.390, 1.391, 162.192 & 431.061) Increase in liability/potential increase in litigation p.6	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> – Schools (§§1.390, 1.391 & 431.061) Potential costs related to litigation and possible school district obligations p.4-5	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> – LEA (§161.854) Implement parental consent procedures p.9	\$0	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> – LEA (§161.854) Translation of documents p.9	\$0	\$0 or (Unknown)	\$0 or (Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<u>Revenue Loss – School Districts</u> (§162.192) State aid withheld p.5-6	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost – School Districts (§162.192)</u> Maintain financial ledger p.5-6	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT LOCAL POLITICAL SUBDIVISIONS</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

FISCAL IMPACT – Small Business

No direct fiscal impact on small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

PARENT RIGHTS (Sections 1.390 and 1.391)

This bill provides that a parent has a fundamental right to direct the upbringing, education, health care, and mental health of such parent's child free from government interference. A governmental authority shall not restrict parental rights unless the authority demonstrates that the restriction is essential to further a compelling governmental interest and is the least restrictive means of furthering that compelling interest. This provision applies to all state and local laws, resolutions, and ordinances and to the implementation of such laws, resolutions, and ordinances.

The bill outlines certain parental rights that are exclusively reserved to a parent without obstruction by or interference from this State, any political subdivision of the State, any governmental entity, or any other institution. Under the bill, parents have the right to:

- (1) Direct the education of the child;
- (2) Access and review all written and electronic educational records of the child;
- (3) Direct the child's upbringing;
- (4) Direct the child's moral or religious training;
- (5) Consent in writing to all physical and mental health care decisions for the child;
- (6) Access and review all health and medical records of the child;
- (7) Consent in writing before a biometric scan of the child is made, shared, or stored;
- (8) Consent in writing before any record of the child's blood or DNA is created, stored, or shared, unless authorized pursuant to a court order;
- (9) Consent in writing before any governmental authority makes a video or voice recording of the child, unless, without abrogating rights secured under the Fourth Amendment to the United States Constitution, such recording is made as part of an event or circumstance described in the bill;

- (10) Be notified promptly if a governmental authority suspects that abuse, neglect, or a criminal offense has been committed against the child, unless such notification is reasonably believed to be likely to endanger the life or physical safety of the child;
- (11) Opt the child out of any personal analysis, evaluation, survey, or data collection by a school district except what is necessary and essential for establishing a student's educational record for a student of the school district;
- (12) Excuse a child from school attendance for religious purposes;
- (13) Participate in parent-teacher organizations and other school organizations that are sanctioned by the board of education of a school district;
- (14) Receive, upon first contact with a representative of the Department of Social Services, an accurate written itemization containing all details of allegations of child abuse or neglect of the child, excluding only the name of the person who made the allegations; and
- (15) View a publicly available, easily accessible accounting of all financial transactions conducted with school district funds without being required to submit a formal request or otherwise make direct contact with the school district to access such information.

Except for law enforcement personnel, a governmental authority shall not encourage or coerce a child to withhold information from the child's parent; nor shall a governmental authority withhold from a child's parent information that is relevant to the physical, emotional, or mental health of the child.

A parent who believes his or her rights have been violated under this bill may assert that violation as a claim or defense in a judicial or administrative proceeding, regardless of whether the government is a party to the proceeding, and obtain appropriate relief against the government, including declaratory relief, injunctive relief, compensatory damages, and reasonable attorney's fees and costs.

#### SPECIAL EDUCATION RECORDS (Section 161.854)

This bill also requires public schools that serve students with an individualized education program (IEP) to implement parental consent procedures. Written parental consent must be obtained and maintained for initial placement, placement changes, removal of service, or the reduction or addition of service minutes by more than 25% as specified in the bill.

If the parents and local educational agency (LEA) only reach an agreement on certain IEP services or interim placement, the child's new IEP will only be implemented in the areas of agreement with the current services remaining unchanged unless the local education agency follows procedures specified in the bill.

The bill states that if consent is not provided within 10 school days, the LEA and the parents must include an additional addendum to a child's IEP on areas of disagreement and provide resolution for the disagreement within 20 school days with the option of an additional 20 school days with consent from both parties as long as progress or additional agreements are reached. Dispute resolution options are provided and can occur upon request of either the school district or the parent of the child.

If a child is identified as eligible for special education services, the parents have the right to schedule a visit for any program or classroom proposed for their child as long as that visit does not interfere with instruction.

The Department of Elementary and Secondary Education (DESE) must adopt a parental consent form, as specified in the bill, that each school district will provide to parents. Districts may not proceed with implementation of a student's IEP without the parental consent form completed except as provided in the bill.

This provision has a delayed effective date of July 1, 2027.

#### ONLINE PUBLIC SCHOOL FINANCIAL RECORDS (Section 162.192)

The bill requires each school district to maintain an easily accessible online record of all moneys the district receives and spends. Each public school within a school district must post the district's financial ledger on the school's website, as specified in the bill. The financial ledger must be updated monthly, within 45 days of the close of the calendar month, and the website must contain at least five fiscal years of financial information.

DESE may provide standardized language or icons, and provide or approve templates or platforms for a school district to use to comply with these provisions. Each school district is required to certify compliance to DESE annually and if DESE finds that a school district is in violation of these provisions they may withhold state aid to the district. The bill requires DESE to establish a process for members of the public to file a complaint.

#### MEDICAL TREATMENT (Section 431.061)


The bill additionally repeals provisions authorizing minors to consent to medical treatment or procedures involving venereal disease and drug or substance abuse.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements. It would require additional rental space.

#### SOURCES OF INFORMATION

Department of Commerce and Insurance  
Department of Corrections  
Department of Elementary and Secondary Education  
Department of Higher Education and Workforce Development  
Department of Health and Senior Services  
Department of Mental Health  
Department of Labor and Industrial Relations  
Department of Public Safety - Missouri Highway Patrol  
Department of Social Services  
Missouri Consolidated Health Care Plan

Missouri Department of Conservation  
Missouri Department of Transportation  
Office of Administration - Administrative Hearing Commission  
Office of the State Courts Administrator  
City of Kansas City  
City of O'Fallon  
Newton County Health Department  
Phelps County Sheriff's Department  
Branson Police Department  
Kansas City Police Department  
High Point R-III School District  
Republic R-III School District  
Richland R-I School District  
Sedalia 200 School District  
Wellington-Napoleon R-IX School District  
Northwest Missouri State University  
University Of Central Missouri  
High Point R-III School District  
Washington School District  
Fayette R-III School District  
Lafayette Co. C-1 School District  
Marquand-Zion R-VI School District  
Osage Co. R-I School District  
Raymore-Peculiar R-II School District  
Republic R-III School District  
Richland R- IV School District  
Warrensburg R-VI School District  
Worth Co. R-III School District



Julie Morff  
Director  
April 29, 2026



Jessica Harris  
Assistant Director  
April 29, 2026