

SECOND REGULAR SESSION

HOUSE BILL NO. 2748

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIDSON.

3931H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 167.720, RSMo, and to enact in lieu thereof one new section relating to physical education in schools, with an emergency clause.

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

Section A. Section 167.720, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 167.720, to read as follows:

167.720. 1. As used in this section, the following terms shall mean:

2 (1) "Moderate physical activity", low- to medium-impact physical exertion designed
3 to increase an individual's heart rate to rise to at least seventy-five percent of his or her
4 maximum heart rate. Activities in this category may include, but are not limited to, running,
5 calisthenics, aerobic exercise, etc.;

6 (2) "Physical education", instruction in healthy active living by a teacher certificated
7 to teach physical education structured in such a way that it is a regularly scheduled class for
8 students;

9 (3) "Recess", a structured play environment ~~outside of regular classroom~~
10 ~~instructional activities,~~ where students are allowed to engage in supervised safe active
11 free play.

12 2. Beginning with the **2026-27** school year ~~[2010-11]~~:

13 (1) School districts shall ensure that **all** students ~~[in elementary schools]~~ participate in
14 **supervised** moderate physical activity for the entire school year, including students in
15 alternative education programs. Students ~~[in the elementary schools]~~ shall participate in
16 moderate physical activity for ~~[an average of one hundred fifty minutes per five day school~~
17 ~~week, or an average of thirty]~~ **a minimum of sixty** minutes per day. Students with disabilities

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 shall participate in moderate physical activity to the extent appropriate as determined by the
19 provisions of the Individuals with Disabilities Education Act, or Section 504 of the
20 Rehabilitation Act;

21 (2) Each year the commissioner of education shall select for recognition students,
22 schools, and school districts that are considered to have achieved improvement in fitness; **and**

23 (3) ~~Students in middle schools may at the school's discretion participate in at least~~
24 ~~two hundred twenty five minutes of physical activity per school week;~~

25 (4)] A minimum of one recess period of twenty minutes per day shall be provided for
26 children in ~~elementary~~ schools, which may be incorporated into the lunch period.

27 3. Any requirement of this section ~~above the state minimum physical education~~
28 ~~requirement~~] may be met by **recess**, additional physical education instruction, or by other
29 activities approved by the individual school district under the direction of any certificated
30 teacher or administrator or other school employee under the supervision of a certificated
31 teacher or administrator.

Section B. Because immediate action is necessary to increase the physical activity of
2 children to protect their health, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act shall be in full
5 force and effect upon its passage and approval.

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