

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2426
103RD GENERAL ASSEMBLY

4672H.02C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 431.061, RSMo, and to enact in lieu thereof four new sections relating to parental rights.

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

Section A. Section 431.061, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 1.390, 1.391, 162.192, and 431.061, to read as follows:

2 **1.390. 1. A parent has a fundamental liberty and fundamental interest in the**
3 **care, custody, and control of such parent's child, including the right to direct the**
4 **upbringing, education, health care, and mental health of the child free from government**
5 **interference.**

6 **2. A governmental authority shall not interfere with the fundamental right of a**
7 **parent to direct the upbringing, education, health care, and mental health of that**
8 **parent's child, unless the governmental authority demonstrates that the interference**
9 **furthers a compelling governmental interest as applied to the parent and the child, and**
10 **is the least restrictive means of furthering that compelling governmental interest. Any**
11 **such interference shall be subject to judicial review by a court of competent jurisdiction,**
12 **which shall determine if the governmental authority has satisfied the burden of proof set**
13 **forth in this subsection.**

14 **3. As used in this section, "parent" shall have the same meaning as such term is**
15 **defined in subdivision (5) of section 211.021.**

16 **4. As used in this section, "child" means any unemancipated person who has not**
17 **attained the age of eighteen years and who has not been adjudicated as an adult in a**
18 **criminal proceeding and subsequently been committed to the custody of the department**
of corrections.

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 **5. This section applies to all state and local laws, resolutions, and ordinances and**
20 **to the implementation of such laws, resolutions, and ordinances, whether statutory or**
21 **otherwise, and whether adopted before or after August 28, 2026.**

22 **6. Nothing in this section or section 1.391 shall be construed as allowing any**
23 **person to cause physical injury to another person, to possess a weapon otherwise**
24 **prohibited by law, to fail to provide monetary support for a child, or to fail to provide**
25 **health care for a child suffering from a life-threatening condition.**

1.391. 1. All parental rights are exclusively reserved to a parent of a child
2 **without obstruction by or interference from this state, any political subdivision of this**
3 **state, any other governmental entity, or any other institution, including without**
4 **limitation, the following rights and responsibilities:**

5 **(1) To direct the education of the child, including the right to choose a public**
6 **school, private school, parochial school, parish school, home school, or family paced**
7 **education school, and the right to make reasonable choices within public schools for the**
8 **education of the child;**

9 **(2) To access and review all written and electronic educational records relating**
10 **to the child that are controlled by or in the possession of a school;**

11 **(3) To direct the upbringing of the child;**

12 **(4) To direct the moral or religious training of the child;**

13 **(5) To make and consent in writing to all physical and mental health care**
14 **decisions for the child;**

15 **(6) To access and review all health and medical records of the child;**

16 **(7) To consent in writing before a biometric scan of the child is made, shared, or**
17 **stored, except where such collection is required under chapter 43 or chapter 589;**

18 **(8) To consent in writing before any record of the child's blood or**
19 **deoxyribonucleic acid (DNA) is created, stored, or shared, unless authorized pursuant**
20 **to a court order or required under chapter 43 or chapter 589;**

21 **(9) To consent in writing before any governmental authority makes a video or**
22 **voice recording of the child, unless, without abrogating rights secured under the Fourth**
23 **Amendment to the United States Constitution, the video or voice recording is made**
24 **during or as a part of:**

25 **(a) A court proceeding;**

26 **(b) A law enforcement investigation;**

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

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

30 **(e) A photo identification card;**

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

35 **(11) To opt the child out of any personal analysis, evaluation, survey, or data**
36 **collection by a school district that would capture data for inclusion in the statewide**
37 **longitudinal student data system except what is necessary and essential for establishing**
38 **a student's educational record for a student of the school district;**

39 **(12) The right to have the child excused from school attendance for religious**
40 **purposes;**

41 **(13) The right to participate in parent-teacher organizations and other school**
42 **organizations that are sanctioned by the board of education of a school district;**

43 **(14) To receive, upon first contact with a representative of the department of**
44 **social services, an accurate written itemization containing all details of any reports or**
45 **allegations concerning abuse or neglect of the parent's child which the department of**
46 **social services has received, excluding only the name of the person who provided the**
47 **reports or made the allegations; and**

48 **(15) To view a publicly available, readily identifiable, and easily accessible**
49 **accounting of all financial transactions conducted with school district funds without**
50 **being required to submit a formal request or otherwise make direct contact with the**
51 **school district in which the parent's child is enrolled.**

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

56 **3. A parent who believes his or her rights have been violated under this section**
57 **or section 1.390 may assert that violation as a claim or defense in a judicial or**
58 **administrative proceeding, regardless of whether the government is a party to the**
59 **proceeding, and obtain appropriate relief against the government, including declaratory**
60 **relief, injunctive relief, compensatory damages, and reasonable attorney's fees and**
61 **costs.**

162.192. 1. For purposes of this section, "financial ledger" means a searchable,
2 **machine-readable, publicly accessible database maintained by a school district that:**

3 **(1) Sets forth all financial transactions conducted with school district funds,**
4 **including, but not limited to, the school funds established pursuant to section 165.011;**

5 **(2) Is available without login credentials, registration, or fees;**

6 (3) Is downloadable and exportable in formats including, but not limited to,
7 comma-separated values (CSV) format and Microsoft Excel format;

8 (4) Records all transactions using Missouri financial accounting manual
9 classification categories, as applicable; and

10 (5) Includes the following minimum required data fields for each financial
11 transaction, and is searchable and filterable by such fields, at minimum:

12 (a) Transaction date;

13 (b) Transaction amount;

14 (c) Revenue or expenditure designation;

15 (d) Fund code;

16 (e) Function code;

17 (f) Object code;

18 (g) Vendor or payee name; and

19 (h) Description or memo field.

20 2. Notwithstanding any provision of law to the contrary, each school district
21 shall maintain a financial ledger on its publicly accessible website. The homepage of
22 each public school's website shall include a direct link to the financial ledger of the
23 school district that has oversight responsibility for that public school. The link shall
24 make the financial ledger accessible within one click, shall be clearly labeled as a link to
25 the school district's financial ledger, and shall be functional and mobile-responsive. The
26 department may provide standardized language or icons that public schools may use for
27 the purpose of ensuring compliance with this subsection.

28 3. A school district's financial ledger shall be updated at least monthly. Details
29 of each calendar month's financial transactions shall be posted no later than forty-five
30 days after the close of that calendar month.

31 4. For historical record keeping purposes, a school district shall maintain
32 complete financial ledger data on its publicly accessible website for no fewer than five
33 prior fiscal years.

34 5. A school district may redact protected personal information on the financial
35 ledger only to the extent required by applicable law. Vendor names, amounts, and
36 accounting codes shall not be redacted. Payroll data may be presented in aggregated
37 form where disclosure of individual information is restricted.

38 6. Debt obligations shall be posted in a separate section of the financial ledger,
39 with disclosure of the following information:

40 (1) Outstanding debt balances;

41 (2) Issuance dates;

42 (3) Repayment schedules;

43 **(4) Annual debt service amounts; and**

44 **(5) Debt service as a percentage of total expenditures.**

45 **7. The department may provide or approve standardized templates or platforms**
46 **a school district may use to comply with the provisions of this section. A school district**
47 **may use a third-party template or platform that is approved by the department.**

48 **8. The department may provide guidance to assist school districts in complying**
49 **with the provisions of this section. Such guidance may include:**

50 **(1) High-level expenditure summaries by classification category under the**
51 **Missouri financial accounting manual;**

52 **(2) Standardized definitions of terms to be used in the financial ledger; and**

53 **(3) Clear explanations of methodology and limitations applicable to the**
54 **compilation and presentation of financial ledger data.**

55 **9. School districts shall annually certify compliance with this section to the**
56 **department. The department shall promulgate rules establishing procedures and**
57 **timelines for school districts to certify compliance.**

58 **10. If the department finds that any school district has violated a provision of**
59 **this section, the department may withhold state aid to which the school district is**
60 **entitled under chapter 163 until the school district proves to the satisfaction of the**
61 **department that the school district is no longer in violation of this section.**

62 **11. The department shall establish a process for members of the public to file**
63 **complaints with the department if they believe a school district has violated any**
64 **provision of this section. The department may establish a public compliance dashboard**
65 **on the department's website to enable members of the public to check whether a**
66 **particular school district is certified as in compliance with the provisions of this section.**

67 **12. The department shall promulgate rules to implement the provisions of this**
68 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
69 **created under the authority delegated in this section shall become effective only if it**
70 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
71 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
72 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
73 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
74 **then the grant of rulemaking authority and any rule proposed or adopted after August**
75 **28, 2026, shall be invalid and void.**

431.061. 1. In addition to such other persons as may be so authorized and
2 empowered, any one of the following persons if otherwise competent to contract, is
3 authorized and empowered to consent, either orally or otherwise, to any surgical, medical, or
4 other treatment or procedures, including immunizations, not prohibited by law:

- 5 (1) Any adult eighteen years of age or older for himself;
- 6 (2) Any parent for his minor child in his legal custody;
- 7 (3) Any minor who has been lawfully married and any minor parent or legal
- 8 custodian of a child for himself, his child and any child in his legal custody;
- 9 (4) Any minor [~~for himself~~] in case of[:
- 10 ~~(a) Pregnancy, but excluding abortions;~~
- 11 ~~(b) Venereal disease;~~
- 12 ~~(c) Drug or substance abuse including those referred to in chapter 195]~~ **pregnancy,**
- 13 **but excluding abortions;**
- 14 (5) Any adult standing in loco parentis, whether serving formally or not, for his minor
- 15 charge in case of emergency as defined in section 431.063;
- 16 (6) Any guardian of the person for his ward;
- 17 (7) Any relative caregiver of a minor child as provided for under section 431.058.
- 18 2. The provisions of sections 431.061 and 431.063 shall be liberally construed, and all
- 19 relationships set forth in subsection 1 of this section shall include the adoptive and step-
- 20 relationship as well as the natural relationship and the relationship by the half blood as well as
- 21 by the whole blood.
- 22 3. A consent by one person so authorized and empowered shall be sufficient
- 23 notwithstanding that there are other persons so authorized and empowered or that such other
- 24 persons shall refuse or decline to consent or shall protest against the proposed surgical,
- 25 medical or other treatment or procedures.
- 26 4. Any person acting in good faith and not having been put on notice to the contrary
- 27 shall be justified in relying on the representations of any person purporting to give such
- 28 consent, including, but not limited to, his identity, his age, his marital status, and his
- 29 relationship to any other person for whom the consent is purportedly given.

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