

SECOND REGULAR SESSION

HOUSE BILL NO. 2744

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TITUS.

5791H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof two new sections relating to instruction in human growth and development.

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

Section A. Section 170.015, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 170.015 and 170.313, to read as follows:

170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710;

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 (4) Include a discussion of the possible emotional and psychological consequences of
19 preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy,
20 as well as the advantages of adoption, including the adoption of special needs children, and
21 the processes involved in making an adoption plan;

22 (5) Teach skills of conflict management, personal responsibility and positive self-
23 esteem through discussion and role-playing at appropriate grade levels to emphasize that the
24 pupil has the power to control personal behavior. Pupils shall be encouraged to base their
25 actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical
26 considerations, such as respect for one's self and others. Pupils shall be taught not to
27 make unwanted physical and verbal sexual advances or otherwise exploit another person.
28 Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

29 (6) Advise pupils of the laws pertaining to their financial responsibility to children
30 born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to
31 statutory rape;

32 (7) Teach pupils about the dangers of sexual predators, including online predators
33 when using electronic communication methods such as the internet, cell phones, text
34 messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to
35 behave responsibly and remain safe on the internet and the importance of having open
36 communication with responsible adults and reporting any inappropriate situation, activity, or
37 abuse to a responsible adult, and depending on intent and content, to local law enforcement,
38 the Federal Bureau of Investigation, or the National Center for Missing & Exploited
39 Children's CyberTipline;

40 (8) Teach pupils about the consequences, both personal and legal, of inappropriate
41 text messaging, even among friends; ~~and~~

42 (9) Teach pupils about sexual harassment, sexual violence, and consent:

43 (a) For the purposes of this subdivision, the term "consent" shall mean a freely given
44 agreement to the conduct at issue by a competent person. An expression of lack of consent
45 through words or conduct means there is no consent. Lack of verbal or physical resistance or
46 submission resulting from the use of force, threat of force, or placing another person in fear
47 does not constitute consent. A current or previous dating or social or sexual relationship by
48 itself or the manner of dress of the person involved with the accused in the conduct at issue
49 shall not constitute consent;

50 (b) For the purposes of this subdivision, the term "sexual harassment" shall mean
51 uninvited and unwelcome verbal or physical behavior of a sexual nature especially by a
52 person in authority toward a subordinate;

53 (c) For the purposes of this subdivision, the term "sexual violence" shall mean
54 causing or attempting to cause another to engage involuntarily in any sexual act by force,
55 threat of force, duress, or without that person's consent; and

56 **(10) For the 2026-27 school year and all subsequent school years, include a**
57 **human growth and development discussion, which shall include:**

58 **(a) A high-definition ultrasound video at least three minutes in duration that**
59 **shows the development of the brain, heart, sex organs, and other vital organs in early**
60 **fetal development; and**

61 **(b) A video that shows the process of fertilization and every stage of human**
62 **development inside the uterus and notes significant markers in cell growth and organ**
63 **development for every significant marker of pregnancy until birth.**

64 2. Policies concerning referrals and parental notification regarding contraception shall
65 be determined by local school boards or charter schools, consistent with the provisions of
66 section 167.611.

67 3. A school district or charter school which provides human sexuality instruction may
68 separate students according to gender for instructional purposes.

69 4. **Except for the videos required under subdivision (10) of subsection 1 of this**
70 **section and the information required by section 170.313,** the board of a school district or
71 charter school shall determine the specific content of the district's or school's instruction in
72 human sexuality, in accordance with subsections 1 to 3 of this section~~[, and]~~. **The school**
73 **board of a school district or the governing board of a charter school** shall ensure that all
74 instruction in human sexuality is appropriate to the age of the students receiving such
75 instruction.

76 5. A school district or charter school shall notify the parent or legal guardian of each
77 student enrolled in the district or school of:

78 (1) The basic content of the district's or school's human sexuality instruction to be
79 provided to the student; and

80 (2) The parent's right to remove the student from any part of the district's or school's
81 human sexuality instruction.

82 6. A school district or charter school shall make all curriculum materials used in the
83 district's or school's human sexuality instruction available for public inspection pursuant to
84 chapter 610 prior to the use of such materials in actual instruction.

85 7. No school district or charter school, or its personnel or agents, shall provide
86 abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any
87 course materials or instruction relating to human sexuality or sexually transmitted diseases to
88 its students if such person or entity is a provider of abortion services.

89 8. As used in this section, the following terms mean:

90 (1) "Abortion", the same meaning as such term is defined in section 188.015;

91 (2) "Abortion services":

92 (a) Performing, inducing, or assisting in the performance or inducing of an abortion
93 which is not necessary to save the life of the mother;

94 (b) Encouraging a patient to have an abortion or referring a patient for an abortion[;
95 ~~which~~ **that** is not necessary to save the life of the mother; or

96 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to
97 induce an abortion which is not necessary to save the life of the mother;

98 (3) **"Human growth and development discussion", an oral, written, or digital**
99 **lesson, lecture, or presentation about human biology related to pregnancy and human**
100 **development inside the womb.**

101 **9. The general assembly hereby acknowledges the state's interest in safeguarding**
102 **the health and well-being of its residents and citizens. In furtherance of this**
103 **acknowledgment, the attorney general of Missouri shall have standing as parens patriae**
104 **to sue to enforce this section on behalf of any or all residents or citizens of Missouri.**

105 **10. The attorney general of Missouri shall have a cause of action to sue for**
106 **damages or injunctive relief, or both, on behalf of any or all residents or citizens of**
107 **Missouri against any person or entity that violates this section or section 170.313.**

170.313. 1. For the 2026-27 school year and all subsequent school years, each
2 **school board of a school district and governing board of a charter school shall require**
3 **instruction in human growth and development beginning no later than grade three.**
4 **Such instruction shall be accomplished by means of a lesson, lecture, or presentation**
5 **about human biology related to pregnancy and human development inside the womb.**
6 **Such instruction may be presented in an oral, written, or digital format or some**
7 **combination of such formats.**

8 **2. The requirements of section 160.514 shall not apply to this section.**

9 **3. Such instruction shall include, but not be limited to, the following scientific**
10 **facts and information:**

11 **(1) A high-definition ultrasound video, at least three minutes in duration,**
12 **showing the development of the brain, heart, sex organs, and other vital organs in early**
13 **fetal development;**

14 **(2) A video, showing the process of fertilization and every stage of human**
15 **development inside the uterus, noting significant markers in cell growth and organ**
16 **development for every significant marker of pregnancy until birth;**

17 **(3) At conception, a new genetically distinct human being is formed and that**
18 **abortion ends the life of an unborn child;**

19 (4) In medicine, a special emphasis is placed on the heartbeat. The heartbeat is a
20 discernible sign of life at every stage of human existence. During the fifth week of
21 gestational age, an unborn child's heart begins to beat and blood flow begins during the
22 sixth week;

23 (5) Depending on the ultrasound equipment being used, the unborn child's
24 heartbeat can be visually detected as early as six to eight weeks gestational age. By
25 about twelve weeks gestational age, the unborn child's heartbeat can consistently be
26 made audible through the use of a handheld Doppler fetal heart-rate device;

27 (6) Confirmation of a pregnancy can be indicated through the detection of the
28 unborn child's heartbeat, while the absence of a heartbeat can be an indicator of the
29 death of the unborn child if the child has reached the point of development when a
30 heartbeat should be detectable;

31 (7) Heart-rate monitoring during pregnancy and labor is utilized to measure the
32 heart rate and rhythm of the unborn child, at an average rate between one hundred ten
33 and one hundred sixty beats per minute, and helps determine the health of the unborn
34 child;

35 (8) The placenta begins developing during the early first trimester of pregnancy
36 and performs a respiratory function by making oxygen supply to and carbon dioxide
37 removal from the unborn child possible later in the first trimester and throughout the
38 second and third trimesters of pregnancy;

39 (9) By the fifth week of gestation, the development of the brain of the unborn
40 child is underway. Brain waves have been measured and recorded as early as the eighth
41 week of gestational age in children who were removed during an ectopic pregnancy or
42 hysterectomy. Fetal magnetic resonance imaging (MRI) of an unborn child's brain is
43 used during the second and third trimesters of pregnancy and brain activity has been
44 observed using MRI;

45 (10) Unborn children at eight weeks gestational age show spontaneous
46 movements, such as a twitching of the trunk and developing limbs. It has been
47 reported that unborn children at this stage show reflex responses to touch. The perioral
48 area is the first part of the unborn child's body to respond to touch at about eight weeks
49 gestational age and by fourteen weeks gestational age most of the unborn child's body is
50 responsive to touch;

51 (11) Peripheral cutaneous sensory receptors, the receptors that feel pain, develop
52 early in the unborn child. They appear in the perioral cutaneous area at around seven
53 to eight weeks gestational age, in the palmar regions at ten to ten and a half weeks
54 gestational age, the abdominal wall at fifteen weeks gestational age, and over all of the
55 unborn child's body at sixteen weeks gestational age;

56 (12) Substance P, a peptide that functions as a neurotransmitter, especially in the
57 transmission of pain, is present in the dorsal horn of the spinal cord of the unborn child
58 at eight to ten weeks gestational age. Enkephalins, peptides that play a role in
59 neurotransmission and pain modulation, are present in the dorsal horn at twelve to
60 fourteen weeks gestational age;

61 (13) When intrauterine needling is performed on an unborn child at sixteen
62 weeks gestational age or later, the reaction to this invasive stimulus is blood flow
63 redistribution to the brain. Increased blood flow to the brain is the same type of stress
64 response seen in a born child and an adult;

65 (14) By sixteen weeks gestational age, pain transmission from a peripheral
66 receptor to the cortex is possible in the unborn child;

67 (15) Physicians provide anesthesia during in utero treatment of unborn children
68 as early as sixteen weeks gestational age for certain procedures, including those to
69 correct fetal urinary tract obstruction. Anesthesia is administered by ultrasound-
70 guided injection into the arm or leg of the unborn child because the unborn child can
71 feel pain; and

72 (16) A leading textbook on prenatal development of the human brain states: "It
73 may be concluded that, although nociperception (the actual perception of pain) awaits
74 the appearance of consciousness, nociception (the experience of pain) is present some
75 time before birth. In the absence of disproof, it is merely prudent to assume that pain
76 can be experienced even early in prenatal life (Dr. J. Wisser, Zürich): the fetus should be
77 given the benefit of the doubt". Ronan O'Rahilly & Fabiola Müller. The Embryonic
78 Human Brain: An Atlas of Developmental Stages (3d ed. 2005).

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