

HOUSE BILL NO. 2580

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COLEMAN.

6006H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to the social transition of minors in public schools.

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.172, to read as follows:

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

- (1) "Biological sex", as defined in section 191.1720;**
- (2) "Gender transition", as defined in section 191.1720;**
- (3) "Parent", a parent, legal guardian, or other person having charge, control, or custody of a student;**
- (4) "Public school", as defined in section 160.011;**
- (5) "Social transition", encouraging or participating with a minor student in changing his or her presentation or expression, including, but not limited to, details such as his or her name, appearance, or behavior, with the goal of such minor student being perceived and treated as a member of the opposite biological sex to such student's own biological sex, or with the goal of such minor student not being perceived and treated as a member of such student's own biological sex, including, but not limited to, the following:**
 - (a) The use of alternative pronouns or names for the minor student, either in school records or otherwise; and**
 - (b) The minor student's use of sex-segregated privacy facilities or participation in sex-differentiated school-sponsored activities;**

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 **(6) "Staff member", a teacher, school employee, volunteer, contractor, or other**
19 **individual authorized to provide services at a public school, including, but not limited to,**
20 **any individual in a position of authority or responsibility, such as a counselor or health**
21 **care worker.**

22 **2. Each staff member shall inform the public school principal or such principal's**
23 **designee, as soon as practicable but in any event within twenty-four hours, of a request**
24 **from a minor student that such staff member participate in or support the social**
25 **transition of such student. Each public school principal or such principal's designee**
26 **shall, as soon as practicable but in any event within seventy-two hours of the initial**
27 **conversation or request involving the student, inform all parents of such student that the**
28 **student has requested that a staff member participate in or support the social transition**
29 **of such student.**

30 **3. No staff member of any public school shall:**

31 **(1) Participate in, support, or engage in any conduct that facilitates the social**
32 **transition of any minor student, including any counseling of a minor student at school**
33 **that affirms such student's self-identification as a biological sex other than such**
34 **student's actual biological sex; or**

35 **(2) Initiate a conversation with, or deliver any presentation or lesson to, any**
36 **minor student regarding gender transition.**

37 **4. Any public school employee who discloses a violation of this section by a**
38 **school official shall be protected from any manner of retaliation as set forth in section**
39 **105.055.**

40 **5. If a school district discovers that a staff member who holds a certificate of**
41 **license to teach has knowingly violated any provision of this section, the school district**
42 **shall initiate proceedings seeking to terminate the employment of that staff member and**
43 **to suspend or revoke such license, as applicable, based upon evidence of incompetence,**
44 **immorality, or neglect of duty, pursuant to the provisions of section 168.071.**

45 **6. The attorney general may bring a civil action, including an action for**
46 **injunctive relief, against a school district or school for any violation of this section. Such**
47 **action shall be brought in the county where the violation occurred.**

48 **7. Any parent of a minor student may bring a civil action, including an action for**
49 **injunctive relief or for damages, against the school district or public school in which**
50 **such minor student is enrolled for any violation of this section. Such action shall be**
51 **brought in the county where the violation occurred. If the parent prevails, the court**

52 shall award to such parent court costs and reasonable attorney's fees and any other
53 damages or remedy which in the judgment of the court shall be appropriate.

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