

HCS HB 2426 -- PARENTAL RIGHTS

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 11 to 3, with 1 voting present.

The following is a summary of the House Committee Substitute for HB 2426.

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.

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.

The Department of Elementary and Secondary Education (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.

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

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this bill recognizes that parents have fundamental liberty interests. There are small differences between this bill and the Senate bill. This bill protects parents who want to know what's happening in their children's lives, be involved, and to ultimately have the respect given to them as they guide and make decisions that they feel are in the best interests of the child. Courts currently treat parental rights as a second-tier right. Twenty-two states have already passed similar legislation. This will grant a parental bill of rights.

Testifying in person for the bill were Representative Keathley; Chandra Hendren, Heritage Action; Arnie C. Dienoff; FGA Action; Matt Sharp, Alliance Defending Freedom; Susan Klein, Missouri Right To Life; Timothy Faber, Issachar.Llc.

OPPONENTS: There was no opposition voiced to the committee.
OTHERS: Others testifying on the bill say there was an HCS last year in another committee which was put into Senate Bill 68 (2025); the portion being added into this HCS was taken out in conference last year. Others say they are following the bill with much interest and are remaining neutral until minor word changes and clarifying additions are made.

Testifying in person on the bill were Scott A. Woodruff, Home School Legal Defense Association; Missouri NEA; Mavis Dey, Missouri Families For Home Education.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.