

FIRST REGULAR SESSION

# HOUSE BILL NO. 870

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SMITH (71) (Sponsor), McNEIL, KIRKTON, WEBB, SCHUPP, LAMPE, WALTON GRAY, PACE, NEWMAN, STILL, COLONA, MONTECILLO, SIFTON, PIERSON, NICHOLS, McGEOGHEGAN, KELLY (24), NASHEED, ATKINS, ZIMMERMAN, WEBBER, CURLS, CARLSON, McDONALD, RIZZO, JONES (63), MAY, CARTER, OXFORD, TAYLOR, McCANN BEATTY, AULL, BROWN (50), ELLINGER, HUBBARD, PETERS-BAKER, HUGHES, TALBOY, SPRENG AND HOLSMAN (Co-sponsors).

1068L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to instruction in human sexuality and sexually transmitted diseases.

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

Section A. Section 170.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 170.015, to read as follows: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, **be based on peer reviewed projects that have been demonstrated to influence healthy behavior, be age appropriate**, 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] **as the only sure way to avoid pregnancy or sexually transmitted infection;**

(2) Stress that sexually transmitted [diseases] **infections** are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding

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.

14 exposure to human immunodeficiency virus (**HIV**), acquired immune deficiency syndrome  
15 (**AIDS**), human papilloma virus, hepatitis and other sexually transmitted diseases;

16 (3) Present students with the latest medically factual information [regarding both the  
17 possible side effects and health benefits of all forms of contraception, including the success and  
18 failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present  
19 students with information on contraceptives and pregnancy in a manner consistent with the  
20 provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about the health**  
21 **benefits and side effects of all contraceptives and barrier methods as a means to prevent**  
22 **pregnancy and to reduce the risk of contracting sexually transmitted infections, HIV/AIDS,**  
23 **and other diseases;**

24 (4) [Include a discussion of the possible emotional and psychological consequences of  
25 preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as  
26 well as the advantages of adoption, including the adoption of special needs children, and the  
27 processes involved in making an adoption plan] **Provide information about the vaccine for**  
28 **human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and**  
29 **other reproductive health problems, when administered prior to becoming sexually active;**

30 (5) **Encourage family communication between parents and children about**  
31 **sexuality;**

32 (6) **Help young people gain knowledge about the physical, biological, and hormonal**  
33 **changes of adolescence and subsequent states of human maturation and the skills to make**  
34 **responsible decisions about sexuality, including how alcohol and drug use can affect that**  
35 **decision making;**

36 [(5)] (7) Teach skills of conflict management, personal responsibility and positive  
37 self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the  
38 pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions  
39 on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations,  
40 such as respect for one's self and others. Pupils shall be taught not to make unwanted physical  
41 and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist  
42 unwanted sexual advances and other negative peer pressure;

43 [(6)] (8) Advise pupils of the laws pertaining to their financial responsibility to children  
44 born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to  
45 statutory rape;

46 (9) **Help pupils develop skills in critical thinking, problem solving, decision making,**  
47 **and stress management in order to make healthy decisions about sexuality and**  
48 **relationships;**

49           **(10) Teach pupils about the dangers of sexual predators, including online predators**  
50 **when using electronic communication methods such as the internet, cell phones, text**  
51 **messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how**  
52 **to behave responsibly and remain safe on the internet and the importance of having open**  
53 **communication with responsible adults and reporting any inappropriate situation, activity,**  
54 **or abuse to a responsible adult, and depending on intent and content, to local law**  
55 **enforcement, the FBI, or the CyberTipLine;**

56           **(11) Teach pupils about the consequences, both personal and legal, of inappropriate**  
57 **text messaging among friends.**

58           2. Policies concerning referrals and parental notification regarding contraception shall  
59 be determined by local school boards or charter schools, consistent with the provisions of section  
60 167.611.

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

63           4. The board of a school district or charter school shall determine the specific content  
64 of the district's or school's instruction in human sexuality, in accordance with subsections 1 to  
65 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age  
66 of the students receiving such instruction.

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

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

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

73           6. A school district or charter school shall make all curriculum materials **and names and**  
74 **affiliations of presenters** used in the district's or school's human sexuality instruction available  
75 for public inspection pursuant to chapter 610 prior to the use of such materials in actual  
76 instruction.

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

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

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

83           (2) "Abortion services":

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

86 (b) Encouraging a patient to have an abortion or referring a patient for an abortion, which  
87 is not necessary to save the life of the mother; or

88 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce  
89 an abortion which is not necessary to save the life of the mother.]

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