

HB 1357 -- ALTERNATIVES TO ABORTION AGENCIES

SPONSOR: Gatschenberger

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 8 to 5.

This bill specifies that the constitutions and laws of the United States and Missouri must be interpreted, construed, applied, and enforced to fully protect the rights of an alternative-to-abortion agency and its officers, agents, employees and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference.

The bill defines "alternatives-to-abortion agency" as:

- (1) A maternity home as defined in Section 135.600, RSMo;
- (2) A pregnancy resource center as defined in Section 135.630; or
- (3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist them in carrying their unborn children to term instead of having abortions and to assist the women in caring for their dependent children or placing their children for adoption.

A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any measure that adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech. These provisions cannot preclude or preempt a political subdivision from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation if the alternatives-to-abortion agency is treated in the same manner as a similarly situated agency and that the authority is not used to circumvent the intent of these provisions.

A court may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney fees, costs, and expenses to enforce these provisions.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill protects the First Amendment rights of alternative to abortion agencies in Missouri and prohibits local and political subdivisions from making laws that prohibit the freedom of speech.

Testifying for the bill were Representative Gatschenberger; Campaign Life Missouri; Sharon Dickerson of Pregnancy Support Center, Lebanon; Karolyn Schrage, Life Choices Medical Clinic; Cindy Boston, Pregnancy Care Center, Springfield; Alliance for Life, Missouri; and Missouri Right to Life.

OPPONENTS: Those who oppose the bill say that Planned Parenthood is heavily regulated, yet the bill gives pro-life centers absolute protection from regulation. Many women go to these alternative to abortion centers thinking that they are going to an abortion center and receive misinformation and don't realize that it is not an abortion clinic.

Testifying against the bill was Planned Parenthood Affiliates in Missouri.

OTHERS: Others testifying on the bill say there is an ongoing debate regarding the link between breast cancer and abortions and, therefore, the dissemination of that information is not misinformation.

Testifying on the bill were Joanne Schrader; and Debra Kohl.