

HB 1357 -- ALTERNATIVES-TO-ABORTION AGENCIES (Gatschenberger)

COMMITTEE OF ORIGIN: Committee on Children and Families

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 alternatives-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.