

HCS HB 354 -- PROTECTION OF PARENTAL RIGHTS

SPONSOR: Bahr

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 9 to 1.

This bill specifies that the liberty of a parent to direct the upbringing, education, and care of his or her child is a fundamental right. The State of Missouri and any political subdivision of the state is prohibited from infringing on this right without demonstrating a compelling governmental interest.

Any law or policy must be narrowly tailored to achieve a compelling state interest and by the least restrictive means. These provisions apply to all laws of the state, whether adopted before or after the enactment of these provisions. Any law adopted after the enactment of these provisions is exempt only if the law explicitly excludes the application by reference to these provisions.

This bill is similar to HB 1755 (2016).

PROPOSERS: Supporters say that this is not conferring a fundamental right; rather, this is confirming that this current right is fundamental. This should be put in statute in case courts see it another way, and this should provide clear direction for judges when they decide cases like these.

Testifying for the bill were Representative Bahr; Jill Johnson; and Concerned Women For America of Missouri.

OPPOSERS: There was no opposition voiced to the committee.