

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILLS NOS. 2913 & 3228

AN ACT

To amend chapter 160, RSMo, by adding thereto three new sections relating to schools, with an emergency clause for a certain section.

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

Section A. Chapter 160, RSMo, is amended by adding thereto three new sections, to be known as sections 160.092, 160.231, and 160.1075, to read as follows:

160.092. 1. As used in this section, the following terms mean:

(1) "Charter school", a school established pursuant to the provisions of sections 160.400 to 160.425;

(2) "Department", the department of elementary and secondary education;

(3) "School district", the same meaning as such term is defined in section 160.011.

2. Each school district and charter school serving students in grades nine through twelve, inclusive, or any combination thereof, shall annually participate in the presidential youth fitness program or a state-approved equivalent fitness program intended to promote physical discipline and pride in students. Each school district and charter school shall report student results and notify each student's parents or legal guardians of such student's individual results. Top-performing school districts and charter schools shall be recognized by the department for their accomplishments.

3. Each school district and charter school shall annually certify compliance with this section to the department in a form and manner prescribed by the department. The department shall monitor compliance and may require corrective action plans for any school district or charter school found to be noncompliant.

160.231. 1. As used in this section, the following terms mean:

(1) "Multiple-occupancy restroom or changing area", an area in a private school building designed or designated to be used by more than one individual at a time and where individuals may be in various stages of undress in the presence of other individuals. The term includes, but is not limited to, a school restroom, locker room, changing room, or shower room;

(2) "Sex", the physical condition of being male or female based on genetics and physiology as identified on the individual's original birth certificate.

2. A private school that serves students in prekindergarten to grade twelve may establish, to ensure privacy and safety, one or more multiple-occupancy restrooms or changing areas designated as follows:

(1) For the exclusive use of the male sex; or

(2) For the exclusive use of the female sex.

3. The provisions of this section shall not apply to individuals entering a multiple-occupancy restroom or changing area designated for use by the opposite sex when entering:

(1) For custodial, maintenance, or inspection purposes;

(2) To render emergency medical assistance; or

(3) As a parent or guardian accompanying their child, who is eight years of age or younger, with the permission of the school.

4. (1) No political subdivision shall adopt any ordinance, rule, or regulation prohibiting a private school from establishing one or more multiple-occupancy restrooms or changing areas as provided in this section.

(2) If a political subdivision adopts an ordinance, rule, or regulation in violation of subdivision (1) of this subsection, such political subdivision shall pay the attorney's fees and costs incurred by a private school in such private school's legal defense against such ordinance, rule, or regulation.

160.1075. 1. A teacher, as defined in section 163.011, while fulfilling duties or performing services on behalf of a school district or charter school, may intervene in an incident involving violence in order to safeguard himself or herself or a student.

2. A teacher shall be held harmless and immune from any liability for actions described under subsection 1 of this section if:

(1) In the course of intervening in such incident, the teacher follows any procedures adopted by the school district or charter school, if any; or

(2) The teacher intervenes in good faith and in a manner that the teacher reasonably believes is afforded the defense of justification under chapter 563.

3. A school district or charter school shall be held harmless and immune from any liability for the actions described under subsection 1 of this section by a teacher fulfilling duties or performing services for the school district or charter school so long as the teacher complies with the provisions of this section.

4. Nothing in this section shall be construed to protect a teacher from suit or liability for any damage,

loss, injury, or liability caused by willful and wanton misconduct or gross negligence of the teacher.

5. No school district or charter school shall implement policies that prevent a teacher from protecting himself or herself or a student.

Section B. Because immediate action is necessary to protect private schools from liability and allow preparation for the 2026-27 school year, the enactment of section 160.231 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 160.231 of this act shall be in full force and effect upon its passage and approval.