

SENATE BILL NO. 1558

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HENDERSON.

6741S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to private school immunity from civil liability for certain actions, with an emergency clause.

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

Section A. Chapter 160, RSMo, is amended by adding thereto
2 one new section, to be known as section 160.231, to read as
3 follows:

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

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

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

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

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

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

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

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

24 (2) To render emergency medical assistance; or

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

28 4. (1) No political subdivision shall adopt any
29 ordinance, rule, or regulation prohibiting a private school
30 from establishing one or more multiple-occupancy restrooms
31 or changing areas as provided in this section.

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

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

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