

# SENATE BILL NO. 978

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

4958S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof two new sections relating to instruction in human development.

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

Section A. Section 170.015, RSMo, is repealed and two new  
2 sections enacted in lieu thereof, to be known as sections  
3 170.015 and 170.313, to read as follows:

170.015. 1. Any course materials and instruction  
2 relating to human sexuality and sexually transmitted  
3 diseases shall be medically and factually accurate and shall:  
4 (1) Present abstinence from sexual activity as the  
5 preferred choice of behavior in relation to all sexual  
6 activity for unmarried pupils because it is the only method  
7 that is one hundred percent effective in preventing  
8 pregnancy, sexually transmitted diseases and the emotional  
9 trauma associated with adolescent sexual activity, and  
10 advise students that teenage sexual activity places them at  
11 a higher risk of dropping out of school because of the  
12 consequences of sexually transmitted diseases and unplanned  
13 pregnancy;

14 (2) Stress that sexually transmitted diseases are  
15 serious, possible, health hazards of sexual activity.  
16 Pupils shall be provided with the latest medical information  
17 regarding exposure to human immunodeficiency virus, acquired

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 immune deficiency syndrome (AIDS), human papilloma virus,  
19 hepatitis and other sexually transmitted diseases;

20 (3) Present students with the latest medically factual  
21 information regarding both the possible side effects and  
22 health benefits of all forms of contraception, including the  
23 success and failure rates for the prevention of pregnancy  
24 and sexually transmitted diseases; or shall present students  
25 with information on contraceptives and pregnancy in a manner  
26 consistent with the provisions of the federal abstinence  
27 education law, 42 U.S.C. Section 710;

28 (4) Include a discussion of the possible emotional and  
29 psychological consequences of preadolescent and adolescent  
30 sexual activity and the consequences of adolescent  
31 pregnancy, as well as the advantages of adoption, including  
32 the adoption of special needs children, and the processes  
33 involved in making an adoption plan;

34 (5) Teach skills of conflict management, personal  
35 responsibility and positive self-esteem through discussion  
36 and role-playing at appropriate grade levels to emphasize  
37 that the pupil has the power to control personal behavior.  
38 Pupils shall be encouraged to base their actions on  
39 reasoning, self-discipline, sense of responsibility, self-  
40 control, and ethical considerations, such as respect for  
41 one's self and others. Pupils shall be taught not to make  
42 unwanted physical and verbal sexual advances or otherwise  
43 exploit another person. Pupils shall be taught to resist  
44 unwanted sexual advances and other negative peer pressure;

45 (6) Advise pupils of the laws pertaining to their  
46 financial responsibility to children born in and out of  
47 wedlock and advise pupils of the provisions of chapter 566  
48 pertaining to statutory rape;

(7) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's CyberTipline;

(8) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends; [and]

(9) Teach pupils about sexual harassment, sexual violence, and consent:

(a) For the purposes of this subdivision, the term "consent" shall mean a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent;

(b) For the purposes of this subdivision, the term "sexual harassment" shall mean uninvited and unwelcome verbal or physical behavior of a sexual nature especially by a person in authority toward a subordinate;

(c) For the purposes of this subdivision, the term "sexual violence" shall mean causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent; and

**(10) For the 2026-27 school year and all subsequent school years, include a human growth and development discussion, which shall include:**

**(a) A high-definition ultrasound video at least three minutes in duration that shows the development of the brain, heart, sex organs, and other vital organs in early fetal development; and**

**(b) A video that shows the process of fertilization and every stage of human development inside the uterus and notes significant markers in cell growth and organ development throughout pregnancy until birth.**

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

**4. Except for the videos required under subdivision (10) of subsection 1 of this section and the information required under section 170.313,** the board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section[, and]. **The school board of a school district or the governing board of a charter school** shall ensure that

all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

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

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion[, which] **that** is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother;

(3) **"Human growth and development discussion", an oral, written, or digital lesson, lecture, or presentation about human biology related to pregnancy and human development inside the womb.**

9. The attorney general may bring a civil action, including an action for damages or injunctive relief, or both, on behalf of the citizens of this state against any person or entity that violates this section or section 170.313.

170.313. 1. For the 2026-27 school year and all subsequent school years, each school board of a school district and governing board of a charter school shall require instruction in human growth and development beginning no later than grade three. Such instruction shall be accomplished by means of a lesson, lecture, or presentation about human biology related to pregnancy and human development inside the womb. Such instruction may be presented in an oral, written, or digital format or some combination of such formats.

2. The requirements of section 160.514 shall not apply to this section.

3. The instruction required under subsection 1 of this section shall include, but shall not be limited to, the following scientific facts and information:

(1) A high-definition ultrasound video, at least three minutes in duration, showing the development of the brain,

18 heart, sex organs, and other vital organs in early fetal  
19 development;

20 (2) A video showing the process of fertilization and  
21 every stage of human development inside the uterus, noting  
22 significant markers in cell growth and organ development  
23 throughout pregnancy until birth;

24 (3) At conception, a new genetically distinct human  
25 being is formed, and abortion ends the life of an unborn  
26 child;

27 (4) In medicine, a special emphasis is placed on the  
28 heartbeat. The heartbeat is a discernible sign of life at  
29 every stage of human existence. During the fifth week of  
30 gestational age, an unborn child's heart begins to beat, and  
31 blood flow begins during the sixth week;

32 (5) Depending on the ultrasound equipment being used,  
33 the unborn child's heartbeat can be visually detected as  
34 early as six to eight weeks gestational age. By about  
35 twelve weeks gestational age, the unborn child's heartbeat  
36 can consistently be made audible through the use of a  
37 handheld Doppler fetal heart rate device;

38 (6) Confirmation of a pregnancy can be indicated  
39 through the detection of the unborn child's heartbeat, while  
40 the absence of a heartbeat can be an indicator of the death  
41 of the unborn child if the child has reached the point of  
42 development when a heartbeat should be detectable;

43 (7) Heart rate monitoring during pregnancy and labor  
44 is utilized to measure the unborn child's heart rate and  
45 rhythm, at an average rate of between one hundred ten and  
46 one hundred sixty beats per minute, and helps determine the  
47 health of the unborn child;

48 (8) The placenta begins developing during the early  
49 first trimester of pregnancy and performs a respiratory

50 function by making oxygen supply to and carbon dioxide  
51 removal from the unborn child possible later in the first  
52 trimester and throughout the second and third trimesters of  
53 pregnancy;

54 (9) By the fifth week of gestation, the development of  
55 the brain of the unborn child is underway. Brain waves have  
56 been measured and recorded as early as the eighth week of  
57 gestational age in children who were removed during an  
58 ectopic pregnancy or hysterectomy. Fetal magnetic resonance  
59 imaging, or "MRI", of an unborn child's brain is used during  
60 the second and third trimesters of pregnancy and brain  
61 activity has been observed using MRI;

62 (10) Unborn children at eight weeks gestational age  
63 show spontaneous movements, such as a twitching of the trunk  
64 and developing limbs. It has been reported that unborn  
65 children at this stage show reflex responses to touch. The  
66 perioral area is the first part of the unborn child's body  
67 to respond to touch at about eight weeks gestational age and  
68 by fourteen weeks gestational age most of the unborn child's  
69 body is responsive to touch;

70 (11) Peripheral cutaneous sensory receptors, the  
71 receptors that feel pain, develop early in the unborn  
72 child. They appear in the perioral cutaneous area at around  
73 seven to eight weeks gestational age, in the palmar regions  
74 at ten to ten and a half weeks gestational age, the  
75 abdominal wall at fifteen weeks gestational age, and over  
76 all of the unborn child's body at sixteen weeks gestational  
77 age;

78 (12) Substance P, a peptide that functions as a  
79 neurotransmitter, especially in the transmission of pain, is  
80 present in the dorsal horn of the spinal cord of the unborn  
81 child at eight to ten weeks gestational age. Enkephalins,



82 peptides that play a role in neurotransmission and pain  
83 modulation, are present in the dorsal horn at twelve to  
84 fourteen weeks gestational age;

85 (13) When intrauterine needling is performed on an  
86 unborn child at sixteen weeks gestational age or later, the  
87 reaction to this invasive stimulus is blood flow  
88 redistribution to the brain. Increased blood flow to the  
89 brain is the same type of stress response seen in a born  
90 child and an adult;

91 (14) By sixteen weeks gestational age, pain  
92 transmission from a peripheral receptor to the cortex is  
93 possible in the unborn child;

94 (15) Physicians provide anesthesia during in utero  
95 treatment of unborn children as early as sixteen weeks  
96 gestational age for certain procedures, including those to  
97 correct fetal urinary tract obstruction. Anesthesia is  
98 administered by ultrasound-guided injection into the arm or  
99 leg of the unborn child because the unborn child can feel  
100 pain;

101 (16) A leading textbook on prenatal development of the  
102 human brain states, "It may be concluded that, although  
103 nociperception (the actual perception of pain) awaits the  
104 appearance of consciousness, nociception (the experience of  
105 pain) is present some time before birth. In the absence of  
106 disproof, it is merely prudent to assume that pain can be  
107 experienced even early in prenatal life (Dr. J. Wisser,  
108 Zürich): the fetus should be given the benefit of the  
109 doubt". Ronan O'Rahilly & Fabiola Müller. The Embryonic  
110 Human Brain: An Atlas of Developmental Stages (3d ed.  
111 2005); and

112 (17) By fourteen or fifteen weeks gestational age or  
113 later, the predominant abortion method in Missouri is

114 dilation and evacuation (D&E). The D&E abortion method  
115 includes the dismemberment, disarticulation, and  
116 exsanguination of the unborn child, causing the unborn  
117 child's death.

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