

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 948
AN ACT

To repeal section 431.061, RSMo, and to enact in lieu thereof four new sections relating to parental rights.

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

Section A. Section 431.061, RSMo, is repealed and four
2 new sections enacted in lieu thereof, to be known as sections
3 1.390, 1.391, 162.192, and 431.061, to read as follows:

1.390. 1. A parent has a fundamental liberty and
2 fundamental interest in the care, custody, and control of
3 such parent's child, including the right to direct the
4 upbringing, education, health care, and mental health of the
5 child free from government interference.

6 2. A governmental authority shall not restrict the
7 fundamental right of a parent to direct the upbringing,
8 education, health care, and mental health of that parent's
9 child, unless the governmental authority demonstrates that
10 application of the restriction to the parent and the child
11 is essential to further a compelling governmental interest
12 and is the least restrictive means of furthering that
13 compelling governmental interest.

14 3. As used in this section, "parent" means a natural
15 parent, a parent by adoption, or an individual who been
16 granted exclusive right and authority over the welfare of a
17 child under state law.

18 4. As used in this section, "child" means any
19 unemancipated person who has not attained the age of
20 eighteen years.

21 5. This section applies to all state and local laws,
22 resolutions, and ordinances and to the implementation of
23 such laws, resolutions, and ordinances, whether statutory or
24 otherwise, and whether adopted before or after August 28,
25 2026.

26 6. Nothing in this section or section 1.391 shall be
27 construed as allowing any person to cause physical injury to
28 another person, to possess a weapon otherwise prohibited by
29 law, to fail to provide monetary support for a child, or to
30 fail to provide health care for a child suffering from a
31 life-threatening condition.

1.391. 1. All parental rights are exclusively
2 reserved to a parent of a child without obstruction by or
3 interference from this state, any political subdivision of
4 this state, any other governmental entity, or any other
5 institution, including without limitation, the following
6 rights and responsibilities:

7 (1) To direct the education of the child, including
8 the right to choose a public school, private school,
9 parochial school, parish school, home school, or family
10 paced education school, and the right to make reasonable
11 choices within public schools for the education of the child;

12 (2) To access and review all written and electronic
13 educational records relating to the child that are
14 controlled by or in the possession of a school;

15 (3) To direct the upbringing of the child;

16 (4) To direct the moral or religious training of the
17 child;

18 (5) To make and consent in writing to all physical and
19 mental health care decisions for the child;

20 (6) To access and review all health and medical
21 records of the child;

22 (7) To consent in writing before a biometric scan of
23 the child is made, shared, or stored;

24 (8) To consent in writing before any record of the
25 child's blood or deoxyribonucleic acid (DNA) is created,
26 stored, or shared, unless authorized pursuant to a court
27 order;

28 (9) To consent in writing before any governmental
29 authority makes a video or voice recording of the child,
30 unless, without abrogating rights secured under the Fourth
31 Amendment to the United States Constitution, the video or
32 voice recording is made during or as a part of:

33 (a) A court proceeding;

34 (b) A law enforcement investigation;

35 (c) A forensic interview in a criminal or department
36 of social services investigation;

37 (d) The security or surveillance of buildings or
38 grounds; or

39 (e) A photo identification card;

40 (10) To be notified promptly if any governmental
41 authority suspects that abuse, neglect, or any criminal
42 offense has been committed against the child, unless the
43 governmental authority reasonably believes that notifying
44 the parent is likely to endanger the life or physical safety
45 of the child;

46 (11) To opt the child out of any personal analysis,
47 evaluation, survey, or data collection by a school district
48 that would capture data for inclusion in the statewide
49 longitudinal student data system except what is necessary
50 and essential for establishing a student's educational
51 record for a student of the school district;

52 (12) The right to have the child excused from school
53 attendance for religious purposes;

54 (13) The right to participate in parent-teacher
55 organizations and other school organizations that are
56 sanctioned by the board of education of a school district;

57 (14) To receive, upon first contact with a
58 representative of the department of social services, an
59 accurate written itemization containing all details of any
60 reports or allegations concerning abuse or neglect of the
61 parent's child which the department of social services has
62 received, excluding only the name of the person who provided
63 the reports or made the allegations; and

64 (15) To view a publicly available, readily
65 identifiable, and easily accessible accounting of all
66 financial transactions conducted with school district funds
67 without being required to submit a formal request or
68 otherwise make direct contact with the school district in
69 which the parent's child is enrolled.

70 2. Except for law enforcement personnel, a
71 governmental authority shall not encourage or coerce a child
72 to withhold information from the child's parent; nor shall a
73 governmental authority withhold from a child's parent
74 information that is relevant to the physical, emotional, or
75 mental health of the child.

76 3. A parent who believes his or her rights have been
77 violated under this section or section 1.390 may assert that
78 violation as a claim or defense in a judicial or
79 administrative proceeding, regardless of whether the
80 government is a party to the proceeding, and obtain
81 appropriate relief against the government, including
82 declaratory relief, injunctive relief, compensatory damages,
83 and reasonable attorney's fees and costs.

162.192. Notwithstanding any provision of law to the
2 contrary, each school district shall maintain, on its
3 publicly accessible website, a readily identifiable and

4 easily accessible ledger setting forth all financial
5 transactions conducted with school district funds,
6 including, but not limited to, all income and all
7 expenditures. Each public school shall post, in a
8 conspicuous and prominently displayed location on its own
9 website, a direct link to the school district's financial
10 ledger.

431.061. 1. In addition to such other persons as may
2 be so authorized and empowered, any one of the following
3 persons if otherwise competent to contract, is authorized
4 and empowered to consent, either orally or otherwise, to any
5 surgical, medical, or other treatment or procedures,
6 including immunizations, not prohibited by law:

7 (1) Any adult eighteen years of age or older for
8 himself;

9 (2) Any parent for his minor child in his legal
10 custody;

11 (3) Any minor who has been lawfully married and any
12 minor parent or legal custodian of a child for himself, his
13 child and any child in his legal custody;

14 (4) Any minor for [himself] herself in case of[:

15 (a) Pregnancy, but excluding abortions;

16 (b) Venereal disease;

17 (c) Drug or substance abuse including those referred
18 to in chapter 195] pregnancy, but excluding abortions;

19 (5) Any adult standing in loco parentis, whether
20 serving formally or not, for his minor charge in case of
21 emergency as defined in section 431.063;

22 (6) Any guardian of the person for his ward;

23 (7) Any relative caregiver of a minor child as
24 provided for under section 431.058.

25 2. The provisions of sections 431.061 and 431.063
26 shall be liberally construed, and all relationships set

27 forth in subsection 1 of this section shall include the
28 adoptive and step-relationship as well as the natural
29 relationship and the relationship by the half blood as well
30 as by the whole blood.

31 3. A consent by one person so authorized and empowered
32 shall be sufficient notwithstanding that there are other
33 persons so authorized and empowered or that such other
34 persons shall refuse or decline to consent or shall protest
35 against the proposed surgical, medical or other treatment or
36 procedures.

37 4. Any person acting in good faith and not having been
38 put on notice to the contrary shall be justified in relying
39 on the representations of any person purporting to give such
40 consent, including, but not limited to, his identity, his
41 age, his marital status, and his relationship to any other
42 person for whom the consent is purportedly given.