

SENATE BILL NO. 222

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

0454S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 161 and 173, RSMo, by adding thereto two new sections relating to medical mandates in educational institutions.

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

Section A. Chapters 161 and 173, RSMo, are amended by
2 adding thereto two new sections, to be known as sections 161.581
3 and 173.581, to read as follows:

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

3 (1) "COVID-19", any disease or health condition caused
4 by the novel coronavirus named "SARS-CoV-2", the
5 international outbreak of respiratory disease named
6 "coronavirus disease 2019" and abbreviated as "COVID-19", or
7 any variant of or virus mutating from SARS-CoV-2 or COVID-19;

8 (2) "COVID-19 vaccine", a substance used to stimulate
9 the production of antibodies and provide protection against
10 COVID-19, prepared from the causative agent of COVID-19, its
11 products, or a synthetic substitute, and treated to act as
12 an antigen without inducing a COVID-19 infection;

13 (3) "Public school", the same definition as in section
14 160.011;

15 (4) "School district", the same definition as in
16 section 160.011;

17 (5) "School employee", any teacher, substitute
18 teacher, supervisor, principal, supervising principal,

19 superintendent, assistant superintendent, or other
20 individual who is employed by a school district or a public
21 school.

22 2. Beginning in the 2025-26 school year and for each
23 subsequent school year, no school district, public school,
24 or school employee shall require any school employee or any
25 student of such school district or public school to:

26 (1) Receive any COVID-19 vaccine or gene therapy
27 treatment before being physically present at any of the
28 school district's or public school's events, premises, or
29 facilities;

30 (2) Receive any COVID-19 vaccine or gene therapy
31 treatment before being accepted for employment by the school
32 district or public school or as a condition of acceptance as
33 a student in the school district's public schools; or

34 (3) Submit to any testing for COVID-19 without the
35 express written consent of the school employee or, in the
36 case of a student, all parents, guardians, or other persons
37 having charge, control, or custody of the student.

38 3. (1) The department of elementary and secondary
39 education shall investigate any report of a violation of
40 this section. If the department determines that any school
41 district, public school, or school employee has violated
42 this section, the department shall notify the violator of
43 the violation and order the violator to immediately cease
44 and desist any further activity in violation of this section.

45 (2) If a school employee violates this section and
46 such school employee possesses a certificate of license to
47 teach in the public schools of this state, the state board
48 of education may, upon hearing, suspend or revoke such
49 school employee's certificate of license to teach pursuant
50 to the provisions of section 168.071.

51 (3) Any student, parent or guardian of such student,
52 or school employee may bring a civil action against a
53 violator of this section for appropriate injunctive relief
54 or actual damages, or both, for any physical, mental, or
55 emotional injuries sustained by such individual as a result
56 of a school district's, public school's, or school
57 employee's violation of this section. Such action shall be
58 brought in the county where the violation occurred, and the
59 court shall award damages and court costs to a prevailing
60 plaintiff.

61 (4) A school district that violates any provision of
62 this section shall not be entitled to receive state aid
63 under chapter 163 or any other revenues of the state until
64 the school district proves to the satisfaction of the
65 department of elementary and secondary education that the
66 school district is no longer in violation of this section.

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

3 (1) "COVID-19", any disease or health condition caused
4 by the novel coronavirus named "SARS-CoV-2", the
5 international outbreak of respiratory disease named
6 "coronavirus disease 2019" and abbreviated as "COVID-19", or
7 any variant of or virus mutating from SARS-CoV-2 or COVID-19;

8 (2) "COVID-19 vaccine", a substance used to stimulate
9 the production of antibodies and provide protection against
10 COVID-19, prepared from the causative agent of COVID-19, its
11 products, or a synthetic substitute, and treated to act as
12 an antigen without inducing a COVID-19 infection;

13 (3) "Employee", any individual who is employed by an
14 institution of higher education;

15 (4) "Institution of higher education", any institution
16 of postsecondary education that receives any public funding

17 and is subject to any governance or regulation by the
18 coordinating board of higher education under state law.

19 2. Beginning in the 2025-26 academic year and for each
20 subsequent academic year, no institution of higher education
21 or employee shall require any employee or student to:

22 (1) Receive any COVID-19 vaccine or gene therapy
23 treatment before being physically present at any of the
24 institution's events, premises, or facilities;

25 (2) Receive any COVID-19 vaccine or gene therapy
26 treatment before being accepted for employment by the
27 institution or as a condition of acceptance as a student at
28 the institution; or

29 (3) Submit to any testing for COVID-19 without the
30 express written consent of the employee or student.

31 3. (1) The department of higher education and
32 workforce development shall investigate any report of a
33 violation of this section. If the department determines
34 that any institution of higher education or employee of an
35 institution of higher education has violated this section,
36 the department shall notify the violator of the violation
37 and order the violator to immediately cease and desist any
38 further activity in violation of this section.

39 (2) An institution of higher education that violates
40 any provision of this section shall not be entitled to
41 receive state aid under this chapter or any other revenues
42 of the state until such institution proves to the
43 satisfaction of the department of higher education and
44 workforce development that such institution is no longer in
45 violation of this section.

46 (3) Any student or employee of an institution of
47 higher education may bring a civil action against a violator
48 of this section for appropriate injunctive relief or actual

49 damages, or both, for any physical, mental, or emotional
50 injuries sustained by such individual as a result of a
51 violation of this section by an institution of higher
52 education or an employee thereof. Such action shall be
53 brought in the county where the violation occurred, and the
54 court shall award damages and court costs to a prevailing
55 plaintiff.

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