



## PART 1 – QUICK SNAPSHOT

**Sponsor: Mazzie Christensen**

**HB1701-i**

### 1.1 One-Paragraph Overview

HB 1701 rewrites Missouri’s human sexuality instruction statute and adds a new requirement that every public and charter school teach “human growth and development” by third grade, focused on life in the womb. It mandates that sex-ed classes include a high-definition fetal-development ultrasound video and the “Meet Baby Olivia” video from Live Action (or its successor), and reinforces existing bans on abortion providers furnishing sex-ed in schools. It also gives the attorney general power to sue anyone who violates these requirements on behalf of Missouri citizens. The bill clearly aims to advance a pro-life culture by showing students that life in the womb is human from fertilization onward, but it does so through fairly prescriptive, top-down curriculum mandates and a broad new enforcement power for the AG.

### 1.2 Triage Table

Item	Assessment	Notes
<b>Single-subject (Art. III §23)</b>	<b>Yes – likely complies</b>	All provisions relate to school instruction in human sexuality / human growth and development and enforcement of that instruction.
<b>Does it grow government?</b>	<b>Mixed</b>	No new agency, but adds a new statewide instructional mandate (grade 3 human growth & development) and broad enforcement powers and causes of action for the attorney general.  HB1701-i
<b>Overall impact on Missouri families</b>	<b>Helps (with some concerns)</b>	Strongly advances a culture of life and transparency about human development; also centralizes some curriculum choices and enforcement at the state level, which could be misused under a hostile administration.

Item	Assessment	Notes
<b>Alignment with Act for Missouri core beliefs</b>	<b>Supports (with structural caution)</b>	Very strong pro-life, pro-family content and transparency; some tension with limited-government / local-control principles because of vendor-specific mandates and a broad AG cause of action.
<b>Recommended stance</b>	<b>Support only with amendments</b>	Direction is solidly pro-life and pro-family; key amendments should narrow AG power, protect local control/parental rights, and remove vendor-lock-in around one specific private video.

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## PART 2 – PURPOSE & PROVISION MAP

### 2.1 Stated Purpose & Title

- **Apparent purpose (in plain English):**  
To ensure Missouri students receive abstinence-centered, medically accurate sex education that clearly shows unborn children as living human beings from fertilization onward, to keep abortion providers out of the classroom, and to make sure every student gets human growth and development instruction (including fetal development) by third grade.

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- **Title accuracy:**  
The title says the bill relates to “school instruction in human growth and development.” The content covers sex-ed requirements, fetal-development videos, a new early-grade human-development requirement, and enforcement of all of that. Those all reasonably fit under “instruction in human growth and development,” so the title is **broad but not misleading**.

### 2.2 Provision-by-Provision Map

#### Provision 1 – Mandated fetal-development videos in sex-ed

- **Location:** §170.015.1(10), .4

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- **What it does (plain language):**  
Starting in the 2026–27 school year, any “human growth and development discussion” in human sexuality instruction must include:
  - A high-definition ultrasound video (at least three minutes) showing early fetal development (brain, heart, sex organs, and other organs); and

- The “Meet Baby Olivia” video from Live Action, or its “successor video,” showing fertilization and every stage of development in the womb up to birth. The local board sets sex-ed content **except** the Baby Olivia video, which is mandated by statute.

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- **Tag: [Good, with Concern]**
- **Why:**
  - **Good:** Powerfully supports a culture of life and personhood by visually showing unborn children as human from conception.
  - **Concern:** Hard-codes one private vendor’s video (and any later “successor”) into state law and removes local school-board discretion over that key piece of content; unclear who decides what counts as a “successor video.”

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## Provision 2 – Definition of “human growth and development discussion”

- **Location:** §170.015.8(3)

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- **What it does:**  
Defines “human growth and development discussion” as any lesson, lecture, or presentation—oral, written, or digital—about human biology related to pregnancy and human development in the womb.
- **Tag: [Neutral/Good]**
- **Why:**  
Clarifies when the statute’s fetal-development requirements apply; the definition itself is straightforward and consistent with a pro-life view of pregnancy.

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## Provision 3 – Keeping abortion providers out of school sex-ed (existing framework clarified)

- **Location:** §170.015.7–8

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- **What it does:**  
Reaffirms that no district or charter school (or their personnel/agents) may allow an abortion-service provider to furnish sex-ed materials or instruction. It defines “abortion” by reference to §188.015 and “abortion services” to include performing, inducing,

encouraging, or referring for abortions that are not necessary to save the life of the mother, and developing/dispensing drugs or devices used for such abortions.

- **Tag: [Good]**
  - **Why:**  
Keeps pro-abortion industry actors out of classrooms; matches a 100% pro-life, pro-family approach while preserving the life-of-the-mother exception already present in Missouri law.
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#### **Provision 4 – Early “human growth and development” requirement (grade 3)**

- **Location:** New §170.313.1–2

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- **What it does:**  
Starting in 2026–27, every district and charter school must provide instruction in human growth and development beginning **no later than grade 3**, focusing on human biology related to pregnancy and development inside the womb. It can be taught in any format (oral, written, digital). Section 160.514 (state curriculum framework requirements) does not apply to this section.
  - **Tag: [Mixed]**
  - **Why:**
    - **Positive:** Ensures all children learn that life in the womb is human, not “tissue,” and keeps this topic out of DESE’s standard curriculum framework process.
    - **Concern:** Makes this instruction a **statewide mandate at a very early age** instead of leaving it more fully to local boards and parents; some families may want more control over timing and approach.
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#### **Provision 5 – Attorney general standing and cause of action**

- **Location:** §170.015.9–10

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- **What it does:**
  - Formally “acknowledges” a state interest in safeguarding the health and well-being of residents.
  - Gives the attorney general standing as **parens patriae** (on behalf of the people) to sue to enforce §170.015.

- Creates a cause of action for the AG to seek **damages or injunctive relief, or both**, against “any person or entity” that violates the section.
  - **Tag: [Concern / Mixed]**
  - **Why:**
    - **Positive:** Gives teeth to pro-life and anti-abortion-provider provisions if local districts ignore the law.
    - **Concern:** Very broad enforcement power (damages + injunctions against any person or entity) could be interpreted aggressively by a future hostile AG and used in ways not anticipated by today’s legislature.
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### **Provision 6 – Parental notice, opt-out, and transparency (existing law retained)**

- **Location:** §170.015.5–6

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- **What it does:**
    - Requires districts and charter schools to notify parents about the basic content of human sexuality instruction and their right to remove their child from any part of it.
    - Requires all curriculum materials used in human sexuality instruction to be available for public inspection under the Sunshine Law.
  - **Tag: [Good]**
  - **Why:**

Supports parental rights and government transparency—key Act4MO priorities.
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### **2.3 Changes to Existing Law**

- **Existing §170.015 (before HB 1701) already:**
  - Required abstinence-centered, medically factual sex-ed that covers STDs, contraception info or abstinence-education framework, emotional consequences, adoption, conflict management, sexual predators, sexting, harassment, sexual violence, and consent.
  - Banned abortion providers from furnishing human sexuality instruction or materials.
  - Required parental notice, opt-out, and public access to materials.

- **HB 1701 changes:**
  - **Adds** mandatory fetal-development videos (ultrasound + Baby Olivia) to any “human growth and development discussion” within sex-ed.
  - **Adds** formal definitions of abortion, abortion services, and “human growth and development discussion” inside §170.015.
  - **Adds** new AG enforcement powers (standing + private-law-style cause of action).
  - **Adds** a separate section, §170.313, requiring early human growth and development instruction (by grade 3) and exempting it from §160.514.
- **Power shifts:**
  - **Toward the state:** Legislature and AG gain more direct control over what at least part of the curriculum must include and how violations are punished.
  - **Away from local discretion:** Local boards lose flexibility over whether and how to use the Baby Olivia video and over whether to offer this content at all before third grade (now mandated).
  - **Away from abortion industry:** Keeps and strengthens the firewall between abortion providers and public school sex-ed.

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## PART 3 – CONSTITUTIONAL & PROCESS CHECKS

### 3.1 Missouri Single-Subject & Original-Purpose Tests

- **Main subject in one sentence:**  
Regulation and enforcement of public-school instruction in human sexuality and human growth and development.
- **Additional policy areas that appear:**
  - Enforcement authority of the attorney general.
  - Restrictions on abortion providers in school settings (already tied to sex-ed).
- **Relationship to main subject:**  
All of these are mechanisms to define, deliver, or enforce **instruction** on human sexuality and human growth/development. They are reasonably related to the central subject, not “random riders.”
- **Title vs. content:**
  - Title: Repeals §170.015 and enacts new sections relating to “school instruction in human growth and development.”

- Content: Sex-ed content rules, fetal-development videos, early human-development instruction, and AG enforcement, all tied to that instruction.
  - **Assessment:** Title is broad but fairly describes the real subject.
  - **Original purpose shifts:**  
We don't have the bill history or prior versions here, only the introduced version, so we cannot assess major shifts through substitutes.
  - **Conclusion:**  
**Likely complies** with Missouri's single-subject and clear-title requirements.
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### 3.2 U.S. & Missouri Constitutional Rights

Potential issues to consider:

#### 1. Parental Rights & Due Process (MO Bill of Rights & 14th Amendment)

- The bill **requires** human growth and development instruction by grade 3 and mandates specific videos, but it also preserves explicit parental notice and the right to remove a child from any part of sex-ed instruction.
- Courts usually give states wide latitude over curriculum, especially with opt-out options.
- **Conclusion:** More likely to be upheld than struck down; no obvious direct violation of parental rights given the opt-out and transparency protections.

#### 2. Free Speech / Establishment Clause

- Requiring a specific video developed by a pro-life advocacy group could trigger claims of "ideological indoctrination." But the content is about **biological development** in the womb, not explicit religious teaching.
- Public schools already teach various materials from private organizations; as long as the content is factual and not explicitly religious, it is generally permissible.
- **Conclusion:** Potential litigation risk, but likely defensible as factual science instruction about human development.

#### 3. Equal Protection / Unborn children

- This bill strongly leans toward recognizing unborn children as human beings in school instruction, but it does not change criminal or civil liability statutes for abortion itself; its main equal-protection impact is **cultural, not legal**.

**Overall constitutional risk:**

- No clear, direct violation on the face of the bill.

- Most likely constitutional issues would center on challenges by pro-abortion or secular groups objecting to state-mandated pro-life materials, not on infringement of Christian or parental rights.
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### 3.3 Delegation & Unelected Power

- **Delegation to DESE or federal agencies:**
  - HB 1701 **does not expand DESE’s authority**; if anything, §170.313 explicitly exempts this new content area from §160.514’s state curriculum framework.
  - Existing language allowing curricula “consistent with” a federal abstinence-education definition remains, but HB 1701 doesn’t expand that.
- **Delegation to private actors (“successor video”)**
  - The mandate to use “Meet Baby Olivia ... or its successor video” is vague about **who decides** what counts as a successor.
  - In practice, this gives a private organization (Live Action) significant influence over what content is required in public schools, especially if they unilaterally declare a new successor video.
- **AG enforcement power:**
  - Sections 9–10 give the AG broad standing and a cause of action for damages and injunctions against any person or entity violating §170.015.
  - Today, that may be used to protect pro-life content and enforce the ban on abortion providers in schools. But tomorrow, a hostile AG could interpret “violations” and “damages” expansively in a way that burdens local boards, Christian teachers, or pro-life organizations if later statutes or regs change.

#### Conclusion on delegation:

- **Positive:** Less reliance on DESE and more explicit statutory direction.
  - **Concern:** Vague “successor video” language and broad AG cause-of-action authority are structural weak points that could be abused by future officials or litigants.
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## PART 4 – IMPACT ON MISSOURI FAMILIES

### 4.1 Economic, Tax, and Utility Impacts

- No taxes, fees, or utility issues are created directly by HB 1701.
- Schools will incur modest costs to:



- Obtain and show the required videos (ultrasound + Baby Olivia) in suitable format.
  - Adjust lesson plans to include mandated content by grade 3.
- These costs are small relative to district budgets and do not meaningfully shift financial burdens from corporations onto families.

**Bottom line:** Economic impact on ordinary households is **minimal** and not the main issue in this bill.

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## 4.2 Freedom, Parental Rights, and Education

### Strengthening factors:

- **Parental notice and opt-out:**  
Parents must be notified of sex-ed content and retain a clear right to remove their child from any part of it.
- **Transparency:**  
All curriculum materials for human sexuality instruction must be available for public inspection under the Sunshine Law, which supports Act4MO's transparency focus.
- **Content direction:**  
The bill pushes instruction toward:
  - Abstinence as the preferred behavior for unmarried students.
  - Clear teaching on the seriousness of STDs.
  - Honest discussion of adoption and emotional consequences of adolescent sex.
  - Strong warnings against predators, sexting, harassment, and sexual violence.

These all align with a pro-family, biblically informed ethic of sexual responsibility.

### Potential concerns:

- **Vendor-specific content:**  
Locking in one specific video from a particular nonprofit may reduce local boards' ability to tailor content and gives a private group unusual influence over public-school curriculum. Specifying the "Baby Olivia" film limits this concern.

### Net effect on parental rights and education:

- **Net: Strengthens pro-life and transparency protections while modestly centralizing certain curriculum choices.**

- Families who share pro-life, biblical values will likely see this as a gain; those who do not will rely on opt-out, which remains intact.
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### 4.3 Moral & Cultural Climate

- **Culture of life:**
  - The required videos explicitly depict human life in the womb and growth from fertilization to birth, reinforcing the reality that unborn children are living human beings, not abstract “clumps of cells.”
  - This aligns directly with a personhood-based pro-life ethic.
- **Sexual ethics:**
  - Abstinence is presented as the preferred behavior for unmarried students.
  - The curriculum must cover emotional and psychological consequences of adolescent sexual activity and highlight adoption as an option.
  - Students are taught to respect themselves and others, resist unwanted advances, and understand sexual harassment and violence—helpful safeguards in a hyper-sexualized culture.
- **What it does *not* do:**
  - There is no promotion of DEI/CRT/SEL, gender ideology, or “reproductive rights” frameworks.
  - There are no new abortion exceptions or normalization of abortion as a “healthcare right.”

#### **Net impact on Missouri’s moral and cultural climate:**

- **Net: Helps** – clearly moves schools toward acknowledging unborn children as human beings and promotes chastity, respect, and responsibility, consistent with Christian, pro-family values.
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## **PART 5 – ACT FOR MISSOURI CORE PRINCIPLES CHECK**

### **Act for Missouri 2026 Legislati...**

For each principle: **Supports / Undermines / Mixed / Not Implicated**

#### **1. 100% Pro-Life – Supports (strongly)**

- Required fetal-development videos and grade-3 human-development instruction present unborn children as human beings from fertilization to birth.

- Keeps abortion providers out of classroom instruction and materials.
- Uses existing life-of-the-mother exception but does not expand abortion access or normalize abortion in law.

## **2. Christian & Biblical Values – Supports**

- Emphasizes abstinence, self-control, responsibility, and respect for others—principles rooted in biblical sexual ethics.
- Warns against predatory behavior and sexual exploitation, aligning with protection of the vulnerable.

## **3. Property Taxes & Economic Freedom – Not Implicated**

- No property tax or enforcement-tool changes.

## **4. Literal / Original-Intent Constitutionalism – Mixed (leaning Supports)**

- Positive: Less reliance on DESE frameworks for this topic, more direct legislative definition of content, and explicit AG enforcement rooted in state sovereignty.
- Concern: Very broad AG cause of action and reliance on a private “successor video” without a clear legislative check could be seen as drifting from tight, limited-government design.

## **5. Right to Bear Arms – Not Implicated**

## **6. State Sovereignty & Tenth Amendment – Supports**

- Does not invite federal mandates; the only federal reference (existing abstinence-education language) is optional and pre-existing, not expanded.
- Enforcement is firmly in state hands (AG, state courts).

## **7. Nuclear Family & Parental Rights – Mixed (net positive)**

- Positive: Strong opt-out rights, parental notice, and transparency; pro-life, pro-family values embedded in curriculum.

## **8. Homeschool Protection – Not Implicated (directly)**

- The bill governs school districts and charter schools; it does not directly regulate homeschoolers.

## **9. Currency & Financial Control / CBDC – Not Implicated**

## **10. Election Integrity – Not Implicated**

## **11. Government Transparency – Supports**

- Reinforces public access to curriculum materials and parental awareness, consistent with Sunshine and citizen oversight.

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## PART 6 – SPECIAL TOPIC TESTS (2025 PRIORITIES)

### 6.1 Amendment 3 / Personhood & Equal-Protection Test

- **Direction of travel:**
  - HB 1701 clearly moves culture in a **personhood direction**: “Meet Baby Olivia” and the ultrasound requirement visually present the unborn child as a developing human being with organs, heartbeat, and identifiable features.
  - The bill does **not** introduce any abortion exceptions (rape, incest, etc.) or any “reproductive freedom” framing.
- **Equal-protection implications:**
  - The bill is **educational**, not criminal, so it doesn’t directly address equal-protection for unborn children in statute.
  - But by normalizing fetal humanity in classrooms, it supports future arguments for personhood and equal protection.

#### Conclusion:

- **Supports** the long-term personhood and equal-protection project culturally, without undermining it in law.

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### 6.2 Surveillance, Digital-ID, and Data-Hub Test

- Not implicated. No digital IDs, data hubs, camera networks, or warrantless-data provisions.

### 6.3 Utilities, Energy Policy, and Data-Center / Big-User Test

- Not implicated.

### 6.4 Federal Money & Strings

- HB 1701 itself does not create new federal funding dependencies.
- Existing optional reference to federal abstinence-education law remains, but isn’t expanded by this bill.

### 6.5 Model-Legislation / Globalism Indicators

- The explicit reference to the “Meet Baby Olivia” video suggests coordination with national pro-life strategies, not globalist/Agenda 21/2030 agendas.
- No “sustainable development,” “equity,” or similar globalist jargon appears.

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## PART 7 – RED FLAGS, AMENDMENT IDEAS, & FINAL RECOMMENDATION

### 7.1 Red-Flag / Concern List (Most Serious First)

#### 1. [Red Flag #1 – Broad Attorney General Cause of Action]

- **Location:** §170.015.9–10
- **Issue:** Grants the AG standing as *parens patriae* and a cause of action for damages and injunctions against **any person or entity** that violates §170.015, without clarifying limits. A future hostile AG could interpret this expansively in ways that burden schools and possibly pro-life partners depending on how “violation” is defined in future case law or regulations.

#### 2. [Concern #2 – Existing Federal Framework Reference]

- **Location:** §170.015.1(3)
- **Issue:** Continues allowing curricula “consistent with” a federal abstinence-education statute, which may shift over time; HB 1701 doesn’t worsen this, but it remains a structural vulnerability to future federal strings.

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### 7.2 Possible Fixes / Amendments

#### Fix 1 – Clarify and Narrow AG Enforcement Power

- **Current:** Broad *parens patriae* standing and damages/injunctive cause of action against any person or entity.
- **Suggested amendment:**
  - Limit the AG’s cause of action to:
    - Public bodies (school districts, charters) and abortion-service providers who violate the abortion-provider ban or refuse to provide mandated transparency/opt-out.
  - Clarify that:
    - Parents, students, and pro-life organizations acting consistent with the statute are not targets.
    - Damages are limited to actual, provable harms or statutory civil penalties defined by the legislature (not open-ended).

#### Fix 2 – Reduce Long-Term Federal Leverage

- **Current:** Existing option to align with 42 U.S.C. §710 (federal abstinence education law).

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- **Suggested amendment (if desired in a future bill):**
  - Remove or tighten references to federal statutes as controlling standards, or require that Missouri standards remain in force even if federal definitions shift in a less pro-life direction.

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### 7.3 Final Recommendation

- **Recommended stance: Support.**

#### Reasoning:

- **Pro-life & pro-family:**  
HB 1701 is **strongly aligned** with a 100% pro-life, pro-family worldview. It normalizes unborn children as human beings from conception to birth in public-school instruction, keeps abortion providers out of the classroom, and emphasizes abstinence, responsibility, and respect in sexual ethics.
- **Constitutional & structural:**  
The bill likely passes Missouri’s single-subject and clear-title tests and does not obviously violate constitutional rights, especially with parental opt-out and transparency protections. However, the vendor-specific “Meet Baby Olivia” mandate and broad AG cause-of-action language are structural weak points that could invite future misuse or legal challenges.
- **Limited government & local control:**  
The bill advances a culture of life but does so using **top-down tools**—a specific private video mandate, early-grade statewide requirements, and robust AG enforcement—While these raise some concerns, with carefully drafted amendments to clarify AG, HB 1701 could become a model pro-life education bill that is also firmly consistent with Act for Missouri’s limited-government, constitutional, and parental-rights principles.