

FIRST REGULAR SESSION

HOUSE BILL NO. 742

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOODS.

1547H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to reproductive health data.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.753, to read as follows:

191.753. 1. For purposes of this section, the following terms mean:

(1) "Government entity", any state agency, state or local law enforcement agency, or peace officer;

(2) "Peace officer", the same meaning given to the term in section 542.261;

(3) "Personal information", information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual;

(4) "Reproductive health data", any personal information derived from an individual's online or in-person interaction with an entity or computer application or website that relates to the past, present, or future reproductive or sexual health of an individual including, but not limited to:

(a) Efforts to research or obtain reproductive or sexual information services or supplies, including location information that might indicate an attempt to receive such information services or supplies;

(b) Reproductive or sexual health conditions, status, diseases, or diagnoses including, but not limited to, pregnancy, menstruation, ovulation, ability to conceive a

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 pregnancy, whether such individual is sexually active, and whether such individual is
18 engaging in unprotected sex;

19 (c) Reproductive-related and sexual-health-related surgeries or procedures, such
20 as termination of a pregnancy;

21 (d) Use or purchase of contraceptives, birth control, or any medication related to
22 reproductive health including, but not limited to, abortifacients;

23 (e) Bodily functions, vital signs, measurements, or symptoms related to
24 menstruation or pregnancy, such as basal temperature, cramps, bodily discharge, or
25 hormone levels;

26 (f) Any information about diagnoses or diagnostic testing, treatment,
27 medications, or the use of any product or service relating to the matters described in
28 paragraphs (a) to (e) of this subdivision; and

29 (g) Any information described in paragraphs (a) to (f) of this subdivision that is
30 derived or extrapolated from nonhealth information;

31 (5) "State agency", the same meaning given to the term in section 536.010.

32 2. Notwithstanding any other provision of law, in the course of any investigation
33 of a potential violation of the laws of this state, a government entity shall not:

34 (1) Apply for a search warrant that seeks to obtain reproductive health data;

35 (2) Issue any subpoena that seeks to obtain reproductive health data;

36 (3) Request any entity or computer application or website to release
37 reproductive health data; or

38 (4) Use reproductive health data for any purpose in connection with the
39 investigation.

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