

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 68
103RD GENERAL ASSEMBLY
2025

0999S.14T

AN ACT

To repeal sections 160.077, 160.480, 160.518, 160.522, 160.660, 160.2700, 160.2705, 160.2710, 161.670, 162.700, 162.705, 163.044, 163.045, 163.172, 167.020, 167.022, 167.115, 167.117, 167.151, 167.624, 167.850, 168.021, 168.025, 168.036, 168.407, 168.409, 168.500, 170.014, 170.315, 173.232, 173.1352, 302.177, 302.272, 302.735, and 701.200, RSMo, and section 161.026 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 161.026 as enacted by senate bill no. 743, ninety-ninth general assembly, second regular session, and to enact in lieu thereof forty-four new sections relating to elementary and secondary education, with a penalty provision.

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

Section A. Sections 160.077, 160.480, 160.518, 160.522,
2 160.660, 160.2700, 160.2705, 160.2710, 161.670, 162.700,
3 162.705, 163.044, 163.045, 163.172, 167.020, 167.022, 167.115,
4 167.117, 167.151, 167.624, 167.850, 168.021, 168.025, 168.036,
5 168.407, 168.409, 168.500, 170.014, 170.315, 173.232, 173.1352,
6 302.177, 302.272, 302.735, and 701.200, RSMo, and section
7 161.026 as enacted by house bill no. 1606, ninety-ninth general
8 assembly, second regular session, and section 161.026 as
9 enacted by senate bill no. 743, ninety-ninth general assembly,

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

546 if any of the powers vested with the general assembly
547 pursuant to chapter 536 to review, to delay the effective
548 date, or to disapprove and annul a rule are subsequently
549 held unconstitutional, then the grant of rulemaking
550 authority and any rule proposed or adopted after August 28,
551 2006, shall be invalid and void.

162.207. 1. As used in this section, "electronic
2 personal communications device" means a portable device that
3 is used to initiate, receive, store, or view communication,
4 information, images, or data electronically.

5 2. (1) For the 2025-26 school year and all subsequent
6 school years, each school district and charter school
7 governing board shall adopt a written policy governing a
8 student's possession or use of an electronic personal
9 communications device.

10 (2) Such school district or governing board shall
11 develop and design such policy to promote the educational
12 interests of students and to provide a safe and effective
13 working environment for school employees and volunteers.

14 3. Such policy shall, at a minimum:

15 (1) Prohibit a student from displaying or using an
16 electronic personal communications device from the beginning
17 of the school day until the end of the school day,
18 including, but not limited to, instructional time, meal
19 times, breaks, time between classes, and during study halls;

20 (2) Describe the disciplinary procedures and measures
21 that will be taken if a student violates the policy; and

22 (3) (a) Provide exceptions to the prohibition that
23 allow the display and use of an electronic personal
24 communications device by a student when such display and use
25 is necessary for compliance with any of the following:

26 a. An individualized education program, or IEP, as
27 such term is defined in 20 U.S.C. Section 1401, as amended;

28 b. A 504 plan created under Section 504 of the federal
29 Rehabilitation Act of 1973, 29 U.S.C. Section 794, as
30 amended;

31 c. An individualized emergency health care plan or an
32 individualized health care plan established under section
33 167.625;

34 d. The Americans with Disabilities Act, 42 U.S.C.
35 Section 12101, et seq., as amended;

36 e. The Rehabilitation Act of 1973, 29 U.S.C. Section
37 701, et seq., as amended;

38 f. The federal Civil Rights Act of 1964; or

39 g. The federal Equal Educational Opportunities Act of
40 1974, 20 U.S.C. Section 1701, et seq., regarding English
41 language learners, as such term is defined in 29 U.S.C.
42 Section 3102, as amended.

43 (b) Such exceptions may include when the use of such
44 device is allowable for the following:

45 a. In the case of an emergency. For purposes of this
46 subparagraph, "emergency" means a serious, unexpected, and
47 dangerous situation that requires immediate action,
48 including, but not limited to, the following:

49 (i) An active fire;

50 (ii) An active tornado or earthquake;

51 (iii) An active shooter;

52 (iv) An evacuation of school grounds;

53 (v) A medical emergency; or

54 (vi) Any other serious, unexpected, and dangerous
55 situation that requires immediate action and is identified
56 in school district policy as an emergency; and

57 b. When directed to use such device for an educational
58 purpose with authorization as directed by established board
59 policies.

60 4. Each school district and charter school governing
61 board shall publish the policy on such district's or charter
62 school's website.

63 5. A school district or charter school employee or
64 volunteer shall be held harmless and immune from any
65 liability for actions taken under this section if such
66 employee or volunteer acts in good faith and follows the
67 proper disciplinary procedures and measures adopted under
68 this section by the school board or charter school governing
69 board.

70 6. The provisions of this section shall expire on
71 August 28, 2032.

162.700. 1. The board of education of each school
2 district in this state, except school districts which are
3 part of a special school district, and the board of
4 education of each special school district shall provide
5 special educational services for children with disabilities
6 three years of age or more residing in the district as
7 required by P.L. 99-457, as codified and as may be amended.
8 Any child, determined to be a child with disabilities, shall
9 be eligible for such services upon reaching his or her third
10 birthday and state school funds shall be apportioned
11 accordingly. This subsection shall apply to each full
12 school year beginning on or after July 1, 1991. In the
13 event that federal funding fails to be appropriated at the
14 authorized level as described in 20 U.S.C. 1419(b)(2), the
15 implementation of this subsection relating to services for
16 children with disabilities three and four years of age may
17 be delayed until such time as funds are appropriated to meet