



December 1, 2023

Capitol Report

Hi All,

Today was the first day of prefiling for the 2024 Legislative Session. I filed a bill similar to [HB 900](#) from the previous session. This [legislation](#) will focus on healthcare insurance reimbursement for doula services and the role of the Department of Health and Senior Services in the process. I also filed a bill one of my constituents recommended, making [Election Day](#) a state holiday. This law will make it easier for working Missourians to participate in our democratic process. I will update you on the other legislation I'll be filing this session. As always, contact my office if you have any questions or recommendations!

Sincerely,



Jamie J. Johnson
State Representative - District 12

201 West Capitol Avenue
Room 103-BA
Jefferson City MO 65101
573-751-9760
Jamie.Johnson@house.mo.gov

This Week in Jefferson City

Bailey opposes protections for LGBTQ children in foster care

Missouri Attorney General Andrew Bailey on Nov. 27 joined Republican attorneys general in 18 other states in opposing a proposed federal regulation seeking to ensure LGBTQ children in foster care are placed in “an environment free of hostility, mistreatment or abuse” based on the child’s sexual orientation or gender identity.

Federal law already requires states to provide safe and proper care to foster children. The U.S. Department of Health and Human Services promulgated the proposed rule on Sept. 28. It would allow – but not require – foster care providers to undergo training to be designated a “safe and appropriate placement” for LGBTQ children and establish a process for children to request such a placement. The proposed rule also would prohibit foster care providers from retaliating against children based on their LGBTQ status.

Bailey and the other Republican attorneys general who object to shielding LGBTQ children from hostility, mistreatment or abuse while in foster care claim in a letter to DHHS that the proposed rule violates the First Amendment rights to freedom of religion and free speech of foster care providers who oppose LGBTQ rights.

The attorneys general submitted their letter on the final day of the public comment period regarding the rule, which could be modified before it is finalized. In their letter, the attorneys general asked the department to reject the rule outright.

Supreme Court rejects appeal in abortion rights petition case

The Missouri Supreme Court declined without comment on Nov. 20 to hear Republican Secretary of State Jay Ashcroft’s appeal of a lower court’s rewrite of ballot language for an initiative petition effort seeking to constitutionally protect reproductive rights in the state. The high court’s refusal to take the case marks yet another judicial rebuke of Ashcroft, who prepared deceptive ballot language that a three-judge panel of the Missouri Court of Appeal Western District said was “replete with politically partisan language” in violation of state law.

The Supreme Court also declined to take a related case brought by two Republican state lawmakers who unsuccessfully sought to force State Auditor Scott Fitzpatrick, also a Republican, to drastically inflate the petition’s official cost estimate. While Fitzpatrick concluded the measure would result in no additional costs to the state, the lawmakers wanted the official estimate to falsely state it would cost in excess of \$12.5 billion. A different Western District panel from the one that heard the ballot language case concluded Fitzpatrick’s estimate was accurate.

The proposed amendment to the Missouri Constitution seeks to restore abortion rights at the state level in response to last year's U.S. Supreme Court ruling eliminating federal abortion rights. With the two cases now resolved, the proposal's sponsors can begin the process of collecting the minimum 171,000 signatures from registered Missouri voters needed to qualify for the November 2024 statewide ballot.

A separate initiative effort filed by a veteran Republican operative would provide more limited state constitutional protections to abortion rights, allowing restrictions after 12 weeks of gestational age in most circumstances. Litigation over deceptive ballot language Ashcroft prepared for that measure is still in its earliest stages, though its sponsor said she intends to move forward with circulation while the case is pending.

Initiative petitions seeking a spot on the November 2024 ballot must be turned into the Secretary of State's Office by early May. The ballot language case is Dr. Anna Fitz-James v. John R. Ashcroft, while the fiscal estimate case is Hannah Sue Kelly, et al., v. Scott Fitzpatrick, et al. The case involving the other abortion rights initiative is Jamie Corley v. John R. Ashcroft, et al.

Feel free to contact my office with your questions or requests.

573-751-9760