

Missouri

LGBTQ+ Business Climate Score

out of a possible 100 points

47.10

HIGH RISK

Out Leadership's Business Climate Index for the 50 United States is an assessment of states' performance on LGBTQ+ inclusion. It measures the impact government policies and prevalent attitudes have on the LGBTQ+ people residing in each state, quantifying the economic imperatives for inclusion and the costs of discrimination. It equips business leaders and policy makers with a clear sense of the most impactful steps states can take to make themselves more hospitable to forward-thinking, innovative, inclusive businesses.

Color Coding



For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit outleadership.com/driving-equality/us-state-ceo-briefs/

Missouri



Legal & Nondiscrimination Protection

The Legal and Nondiscrimination Protections section includes two subsections: The **Personal Legal Scale** assesses the state's laws directly impacting LGBTQ+ individuals. This includes processes for transgender people to change their gender markers on birth certificates and driver's licenses, as well as protections for individuals in housing, the workplace, public spaces, foster care, and more. **Two Nondiscrimination Protections Scales** assess the extent to which LGBTQ+ people are protected under state law. One evaluates nondiscrimination laws related to employment and the other evaluates any nondiscrimination laws related to housing, public accommodations, credit and lending.



Youth & Family Support

The Youth and Family Support section contains three subsections. The **Family Support Scale** measures how supportive the state is of LGBTQ+ people who are in or wish to start families. Elements of this scale include: the percentage of LGBTQ+ families raising children, and whether state family leave laws cover same-gender couples and allow workers to care for the children they are raising. The **Children and Youth Scale** assesses the resources available to LGBTQ+ children and youth in the state, including whether the state has non-discrimination laws and policies for LGBTQ+ students. The **Targeted Laws** section evaluates states on whether they ban discussion of same-gender marriage in schools, and whether they ban conversion therapy for minors.





Political & Religious Attitudes

The Political and Religious Attitudes section contains two subsections. Taken together, these scales assess the tone of the state's conversation around LGBTQ+ rights. The **Religious Protections Scale** assesses the extent and impacts of a state's constitutional or statutory religious exemption laws, and whether state law provides for targeted religious exemption from laws governing child welfare services, private wedding services, and the provision of medical care. The **State Leadership Scores** are Out Leadership's unique measures evaluating the state's most senior elected officials – the Governor and the two U.S. Senators – and assessing how they've represented their views of LGBTQ+ people in speeches and in their political platforms, and in terms of how they've acted with regard to laws impacting LGBTQ+ equality.

8.60_{/20}



Health Access & Safety

The Health Access and Safety section contains two subsections. The **Health Scale** assesses LGBTQ+ people's access to insurance and medical care in each state, giving particular emphasis to the most economically precarious and vulnerable members of the community. The **Safety Scale** is based on two significant laws protecting or criminalizing behaviors affecting LGBTQ+ people. It asks whether the state protects LGBTQ+ people in its hate crime laws. It also assesses whether the state criminalizes exposure to or transmission of HIV.

11.00_{/20}



Work Environment & Employment

The Work Environment and Employment section contains two subsections. The **Work Environment Scale** assesses transgender individuals' experiences at work, including incidences of verbal harassment, sexual assault, and other mistreatment. The **Employment Scale** is based on assessments of LGBTQ+ employment in the state. This scale includes the percentage of LGBTQ+ people making less than \$24,000 annually (approximately the current Federal poverty line), and the differences in unemployment rates and food insecurity between LGBTQ+ and non-LGBTQ+ identified individuals.

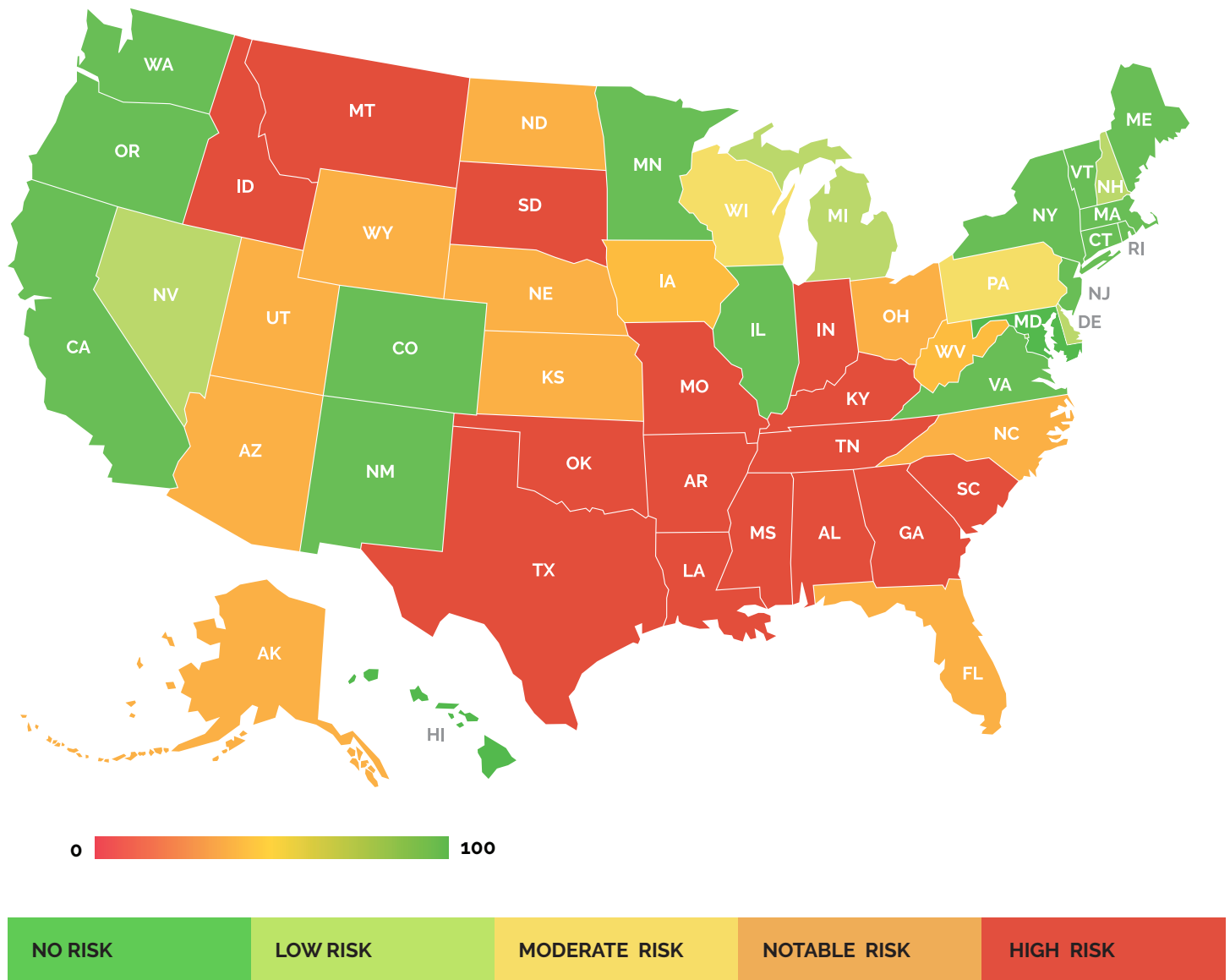
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A Note on Methodology

Download this report to learn how and why Out Leadership created the LGBTQ+ Business Climate Index for the 50 U.S. States, with important details about our methodology, including our data standards and practices. NOTE: *HIV criminalization laws are discriminatory and ineffective. These laws fail to account for advances made in treating and controlling HIV, may deter people from getting tested and seeking treatment, and can exacerbate the stigma targeting people living with HIV and LGBTQ+ people.

United States Heat Map

The legal and cultural situation for LGBTQ+ people varies widely across the country. This map, based on each state's total Business Climate Score, illustrates the states where LGBTQ+ people are empowered to participate more fully and openly in the economy, and the states that are lagging behind.





Missouri Talking Points

3.8% of Missouri residents identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$10.9 billion – it's a market my business can't afford to ignore. Increased hostile policy toward the LGBTQ+ community will have a negative impact on companies ability to attract and retain top talent.

Nondiscrimination policies allow LGBTQ+ people to participate more fully in the economy.

When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$9,104 to replace an employee in Missouri, and it can cost up to about \$358,000 to replace senior executives. Missouri and the businesses operating there have strong incentives to create inclusive workplaces in the interest of keeping these costs down.

Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that Missouri create a business environment where being inclusive is supported.

Missouri has a regressive attitude towards transgender people. This makes companies doing business in Missouri look complicit –equality is good for everyone's bottom line.

Regional Context

The Midwest

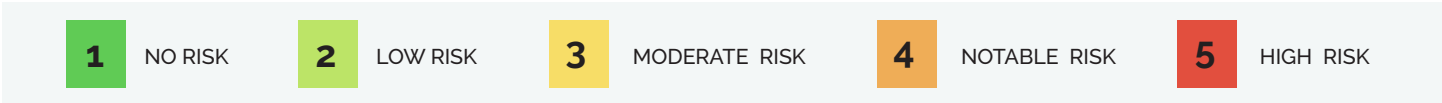
Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020. These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local, state, and national level.

Only 50.8% of LGBTQ+ workers in the Midwest are out at work. They are only slightly more comfortable being open with their managers than other regions (14% more likely), but they are the least likely to cover their identity at work (17% less likely than nationwide). This could be due to the Midwest having the lowest rates for observing microaggressions (23% less likely) and hearing or engaging in negative conversations on average. However, workers in this region do not typically go out of their way to do business with inclusive companies (21% less likely than the nation as a whole). This is primarily driven by those who live in more rural areas where respondents were 85% less likely to do business with companies that are inclusive.

Unless otherwise noted, all comparisons for more or less likely are compared to the National results. Regional results are based off of 1,500 respondents (LGBTQ+ and Non-LGBTQ+ responses have been weighted to be age-representative for each audience in each region). National results are based off of 600 respondents representative of each audience (LGBTQ+ vs Non-LGBTQ+).

States in the Midwest region included: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, North Dakota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

Impact of LGBTQ+ Discrimination on Business Talent



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<h2>Brand Risk</h2> <p>5 HIGH RISK</p> <p>Companies incur high risk to their brands by operating in Missouri, where there are no statewide LGBTQ+ inclusive nondiscrimination protections and the state's governor and senators have negative voting records on LGBTQ+ issues, and stand vocally against LGBTQ+ interests.</p>	<p>4 NOTABLE RISK</p> <p>There is notable risk of LGBTQ+ or strong ally clients pulling their business from companies operating in Missouri in light of the state's business climate and reputation.</p>
<h2>Talent Risk</h2> <p>4 NOTABLE RISK</p> <p>LGBTQ+ talent are likely to consider Missouri's legal and social environment unfriendly. There is no statewide LGBTQ+ inclusive nondiscrimination law, and transgender people are defacto required to have surgery in order to change gender markers, both of which make working in Missouri unattractive to LGBTQ+ professionals.</p>	<h2>Marketing Risk</h2> <p>3 MODERATE RISK</p> <p>There is moderate risk involved in marketing to the LGBTQ+ community in Missouri, where there is no statewide LGBTQ+ inclusive nondiscrimination law, and legislative progress on LGBTQ+ equality has stalled in recent years.</p>
<h2>Future Risk</h2> <p>4</p> <p>The state is still suffering some negative brand impacts from a major, headline-making discriminatory event in 2016. While appetite for similar policies appears to have diminished, there remains a notable risk of future negative events.</p>	



Current Legal Status of LGBTQ+ People in Missouri

Legal status of the Lesbian, Gay and Bisexual Community

Currently, sexual orientation and gender identity are not protected classes under Missouri's nondiscrimination laws. While there is no protection from discrimination for LGBTQ+ people at the state level, at least 17 municipalities have adopted ordinances protecting people from discrimination on the basis of their sexual orientation and gender identity.

Missouri does not have any law to protect state employees from discrimination on the basis of sexual orientation or gender identity.

While Missouri's nondiscrimination law does not extend protection against discrimination based on sexual orientation, the Missouri Department of Social Services (DSS) prohibits discrimination against DSS employees, DSS applicants, and foster care youth on the basis of sexual orientation. This policy does not explicitly extend to gender identity.

There are no laws in Missouri preventing LGBTQ+ individuals from becoming a foster parent. However, because there is no state law prohibiting discrimination based on sexual orientation or gender identity, LGBTQ+ individuals could still face discrimination when applying to become a foster parent.

Missouri's hate crime law provides for enhanced penalties for crimes committed and motivated by sexual orientation. For purposes of the hate crime statute, Missouri defines sexual orientation as "male or female heterosexuality, homosexuality or bisexuality by inclination, practice, identity or expression, or having a self-image or identity not traditionally associated with one's gender."

There is no explicit prohibition in the law against an LGBTQ+ person or couple petitioning to adopt a child in Missouri, as the law uses gender-neutral language. Nor is there any explicit prohibition against an LGBTQ+ partner adopting a partner's child. However, no Missouri court has confronted either issue.

Missouri law allows "any person" to petition to adopt a child. A petitioner may be single or married and, if married, the "spouse" may join in the petition to adopt.

Missouri law makes it a Class B felony for an individual with HIV to recklessly expose another to the HIV virus without that person's knowledge and consent. Conversion therapy is legal in Missouri, but three cities have banned it locally.

Legal Status of the Transgender Community

Transgender individuals in Missouri may receive gender-affirming surgery and legally change their names and gender markers.

While there are no state-specific requirements for transgender individuals to be eligible for gender confirmation surgery, at least one medical center requires potential patients to have been diagnosed with gender dysphoria or to have been evaluated by a healthcare professional experienced in gender issues who certifies that the individual would benefit from the surgery.

A transgender individual may receive a legal name change in Missouri by petitioning the court for a name change. Within 20 days of the petition being granted, the applicant must publish notice of the name change in a newspaper at least three times in the county in which the applicant resides. If there is no newspaper in that county, they can publish it in a newspaper in St. Louis. This notice requirement may be waived if the applicant is a victim of domestic violence or child abuse.

In order to change a gender marker on a birth certificate, a trans person must submit certified court orders indicating their correct gender identity and legal name change. To obtain a court order formally recognizing a transgender individual's correct gender identity, he or she must petition the county circuit court. (Corrected gender recognition may also be part of the name-change petition.) Before the petition can be granted, Missouri law requires proof that the individual's sex "has been changed by surgical procedure." However, in May 2013, a Missouri court found that it was proper to grant an applicant's petition to formally recognize her correct gender identity notwithstanding the fact that she had not undergone gender affirming surgery. The court noted that a surgical requirement may be "unsuitable, dangerous, or unnecessary" to the applicant in certain circumstances. Transgender individuals may therefore be able to legally change gender markers without surgery if his or her physician attests that such surgery is "unsuitable, dangerous, or unnecessary."

After obtaining a legal name change, transgender individuals may change their name on their Missouri driver's license or identification card by presenting a document demonstrating their current name, such as a certified court order of name change, a valid US passport, or a Social Security or Medicare Card.

Individuals may also change their gender marker on their driver's license by filing a completed Gender Designation Change Request Form, which requires the individual's healthcare provider to certify the individual's gender identity and that it "can reasonably be expected to continue as such in the foreseeable future."

Missouri's state Medicaid (MO HealthNet) does not cover transition-related healthcare services, and the state does not ban private insurance companies from restricting coverage for transition-related healthcare.

Government Statements and Actions

According to the ACLU, Missouri's state legislature filed more anti-LGBTQ+ bills than any other state legislature in 2023. These bills would prevent trans youth from accessing gender-affirming healthcare, block or control discussions of LGBTQ+ topics in classrooms, and ban trans students from participating on sports teams that correspond with their gender identity, among other bills that target the LGBTQ+ community and particularly LGBTQ+ youth.

Missouri Republicans in 2021 blocked the removal of the state's marriage equality ban from the books, even though it hasn't been legally binding since

the Supreme Court legalized same-sex marriage nationwide.

State lawmakers introduced nine anti-trans bills at the start of the 2021 legislative session, including ones that would deprive trans minors of gender-affirming care and those that would ban trans students from playing on sports teams in alignment with their gender identity. All of them were defeated.

Pro-LGBTQ+ lawmakers introduced conversion therapy bans and non-discrimination laws – and the opposition to such measures is less extreme than in prior years – but none were passed by the legislature.

There are a record of six openly LGBTQ+ lawmakers in the state legislature: five in the house and one in the senate.

Missouri lawmakers recently rejected a proposal to amend the House's existing internal rules covering equal employment opportunities and discrimination to include sexual orientation and gender identity.

Two "bathroom bills" were introduced in the Missouri General Assembly in 2017 and again in 2018. One bill would have required transgender students at public school to use restrooms, locker rooms, and shower facilities corresponding to their gender at birth, while the second bill would have broadened the application to all persons and public buildings. Neither bill was enacted into law.

In February 2019, the Missouri Supreme Court held that a transgender student who was denied access to the bathroom and locker room corresponding with his gender identity could sue the school district for sex discrimination under Missouri's nondiscrimination law.

In 2016, a Senate Joint Resolution was introduced in the Missouri General Assembly which would have prohibited imposing penalties on religious organizations for denying services to LGBTQ+ individuals based on a "sincere religious belief" that marriage is between a man and a woman. The resolution was ultimately defeated in the House as a result of a 39-hour filibuster, the longest such filibuster in memory.

In December 2017, the Chief of the Department for Children and Families' spoke out against discrimination of same-sex couples in adoption and foster care cases and announced a "zero tolerance" policy for discrimination based on sexual orientation in such cases.



Socio-cultural Environment of LGBTQ+ People in Missouri

Status of LGBTQ+ Organizing and Community

At least three adoption and/or foster care agencies in Missouri support LGBTQ+ adoption. One has been identified as a "Leader in Supporting and Serving LGBTQ+ Youth and Families" by All Children – All Families (ACAF). The remaining two agencies are working with the Human Rights Campaign to review their policies and practices so as to be fully supportive of LGBTQ+ individuals and families.

More than half of the homeless population of Kansas City, including children, identifies as LGBTQ+, and the Kansas City Center for Inclusion is confident that trend is consistent across the state.

Cultural Views of the LGBTQ+ Community

In 2016, a lesbian couple was denied a spot in a retirement home based on their sexual orientation. In 2019, a judge ruled that the refusal was legal because there are no laws preventing LGBTQ+ discrimination in housing in the state.



Partners

Our partnerships make our work possible. The first State LGBTQ+ Business Climate Index released in 2019 was funded by a grant from the Gill Foundation. The Index is based on data graciously shared by the Movement Advancement Project and the Williams Institute. Ropes & Gray is our pro bono legal partner for the CEO Business Briefs globally, and their research informs this Index. FCB partnered with us to conduct original market research into American attitudes toward LGBTQ+ workplace inclusion, informing the Regional Context section of the State CEO Briefs. America Competes supported the development of the scoring for the Risk Assessments, particularly for the Future Risk score.

