

By: Talarico

H.B. No. 819

A BILL TO BE ENTITLED

AN ACT

relating to the repeal of laws prohibiting abortion.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 171.206(b), Health and Safety Code, is amended to read as follows:

(b) This subchapter may not be construed to:

(1) authorize the initiation of a cause of action against or the prosecution of a pregnant individual ~~[woman]~~ on whom an abortion is performed or induced or attempted to be performed or induced in violation of this subchapter;

(2) wholly or partly repeal, either expressly or by implication, any other statute that regulates or prohibits abortion ~~[, including Chapter 6-1/2, Title 71, Revised Statutes]~~; or

(3) restrict a political subdivision from regulating or prohibiting abortion in a manner that is at least as stringent as the laws of this state.

SECTION 2. Section 171.207(b), Health and Safety Code, is amended to read as follows:

(b) Subsection (a) may not be construed to:

(1) legalize the conduct prohibited by this subchapter ~~[or by Chapter 6-1/2, Title 71, Revised Statutes]~~;

(2) limit in any way or affect the availability of a remedy established by Section 171.208; or

(3) limit the enforceability of any other laws that

1 regulate or prohibit abortion.

2 SECTION 3. The following laws are repealed:

- 3 (1) Chapter 170A, Health and Safety Code;
- 4 (2) Subchapter H, Health and Safety Code;
- 5 (3) Sec.30.022, Civil Practice and Remedies Code;
- 6 (4) Section 311.036, Government Code; and
- 7 (5) Chapter 6-1/2, Title 71, Revised Statutes.

8 SECTION 4. This Act takes effect January 1, 2024, but only  
9 if the constitutional amendment proposed by the 88th Legislature,  
10 Regular Session, 2023, limiting the legislature's ability to  
11 prohibit abortion is approved by the voters. If that amendment is  
12 not approved by the voters, this Act has no effect.