

By: Howard

H.B. No. 1880

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of certain laws on the provision of money to organizations that support access to health care services and the repeal of certain laws prohibiting abortion.

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

SECTION 1. Chapter 161, Health and Safety Code, is amended by adding Subchapter Y to read as follows:

SUBCHAPTER Y. APPLICABILITY OF LAWS PROHIBITING HEALTH CARE

SERVICES

Sec. 161.751. APPLICABILITY OF LAWS ON PROVISION OF MONEY TO CERTAIN ORGANIZATIONS. The provision of money, including a donation or gift, to an organization that provides support services to an individual in accessing a health care service:

(1) does not constitute a violation of any prohibition under state law on the provision of that health care service; and

(2) may not be the basis for a cause of action related to the provision of that health care service.

SECTION 2. Section 19.06, Penal Code, is amended to read as follows:

Sec. 19.06. APPLICABILITY TO CERTAIN CONDUCT. This chapter does not apply to the death of an unborn child if the conduct charged is:

(1) conduct committed by the mother of the unborn child;

1 (2) a lawful medical procedure performed by a
2 physician or other licensed health care provider with the requisite
3 consent, if the death of the unborn child was the intended result of
4 the procedure;

5 (3) a lawful medical procedure performed by a
6 physician or other licensed health care provider with the requisite
7 consent as part of an assisted reproduction as defined by Section
8 [160.102](#), Family Code; [~~or~~]

9 (4) the dispensation of a drug in accordance with law
10 or administration of a drug prescribed in accordance with law; or

11 (5) the provision of money to an organization that
12 provides support services to an individual in accessing health care
13 services.

14 SECTION 3. Section [22.12](#), Penal Code, is amended to read as
15 follows:

16 Sec. 22.12. APPLICABILITY TO CERTAIN CONDUCT. This chapter
17 does not apply to conduct charged as having been committed against
18 an individual who is an unborn child if the conduct is:

19 (1) committed by the mother of the unborn child;

20 (2) a lawful medical procedure performed by a
21 physician or other health care provider with the requisite consent;

22 (3) a lawful medical procedure performed by a
23 physician or other licensed health care provider with the requisite
24 consent as part of an assisted reproduction as defined by Section
25 [160.102](#), Family Code; [~~or~~]

26 (4) the dispensation of a drug in accordance with law
27 or administration of a drug prescribed in accordance with law; or

1 (5) the provision of money to an organization that
2 provides support services to an individual in accessing health care
3 services.

4 SECTION 4. Section 171.206(b), Health and Safety Code, is
5 amended to read as follows:

6 (b) This subchapter may not be construed to:

7 (1) authorize the initiation of a cause of action
8 against or the prosecution of a woman on whom an abortion is
9 performed or induced or attempted to be performed or induced in
10 violation of this subchapter;

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

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

17 SECTION 5. Section 171.207(b), Health and Safety Code, is
18 amended to read as follows:

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

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

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

24 (3) limit the enforceability of any other laws that
25 regulate or prohibit abortion.

26 SECTION 6. Chapter 6-1/2, Title 71, Revised Statutes, is
27 repealed.

1 SECTION 7. This Act takes effect September 1, 2023.