

By: Howard

H.B. No. 1941

A BILL TO BE ENTITLED

AN ACT

relating to the purchase and use of and access to information on  
contraceptives.

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. CONTRACEPTIVES

Sec. 161.751. DEFINITIONS. In this subchapter:

(1) "Contraceptive" means a drug, device, or other  
method of preventing pregnancy that is approved by the United  
States Food and Drug Administration.

(2) "Emergency contraceptive" means a drug containing  
an elevated dose of hormones that:

(A) is used postcoitally;

(B) prevents pregnancy by preventing  
fertilization of an egg or preventing implantation of a fertilized  
egg in a uterus; and

(C) is approved by the United States Food and  
Drug Administration.

Sec. 161.752. PROHIBITED GOVERNMENTAL RESTRICTIONS RELATED  
TO CONTRACEPTIVES. Notwithstanding any other law, a state or local  
governmental entity may not prohibit or restrict in any manner the  
right of an individual:

(1) to purchase or use a contraceptive, including an

1 emergency contraceptive; or

2 (2) to access information on contraceptives,

3 including emergency contraceptives.

4 SECTION 2. This Act takes effect September 1, 2023.