

By: Morales Shaw

H.B. No. 1578

A BILL TO BE ENTITLED

1 AN ACT
2 relating to exceptions to and the repeal of certain laws
3 prohibiting abortion.

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

5 SECTION 1. Section 170A.002, Health and Safety Code, is
6 amended by adding Subsections (b-1) and (e) and amending Subsection
7 (c) to read as follows:

8 (b-1) It is an exception to the application of Subsection
9 (a) that:

10 (1) the person performing, inducing, or attempting the
11 abortion is a licensed physician and, in the physician's exercise
12 of reasonable medical judgment, the physician determines the
13 abortion is necessary to prevent a risk of serious harm to the
14 pregnant patient's health or well-being; or

15 (2) the pregnancy resulted from sexual assault in
16 violation of Section 22.011, Penal Code, aggravated sexual assault
17 in violation of Section 22.021, Penal Code, or conduct constituting
18 an offense under Section 25.02, Penal Code.

19 (c) A physician may not take an action authorized under
20 Subsection (b-1) [~~(b)~~] if, at the time the abortion was performed,
21 induced, or attempted, the person knew the risk of serious harm
22 [~~death or a substantial impairment of a major bodily function~~]
23 described by Subsection (b-1)(1) [~~(b)(2)~~] arose from a claim or
24 diagnosis that the pregnant patient [~~female~~] would engage in

1 conduct that might result in serious harm to the patient's health or
2 well-being [~~the female's death or in substantial impairment of a~~
3 ~~major bodily function~~].

4 (e) The Texas Medical Board shall publish on the board's
5 Internet website and annually update a list of medical conditions
6 the board identifies as posing a risk of serious harm to a pregnant
7 patient's health or well-being under Subsection (b-1)(1).

8 SECTION 2. The heading to Section 171.205, Health and
9 Safety Code, is amended to read as follows:

10 Sec. 171.205. EXCEPTIONS [~~EXCEPTION FOR MEDICAL~~
11 ~~EMERGENCY~~]; RECORDS.

12 SECTION 3. Section 171.205, Health and Safety Code, is
13 amended by adding Subsection (a-1) to read as follows:

14 (a-1) Sections 171.203 and 171.204 do not apply to an
15 abortion performed or induced by a person in accordance with an
16 exception provided by Section 170A.002.

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

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

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

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

27 (3) restrict a political subdivision from regulating

1 or prohibiting abortion in a manner that is at least as stringent as
2 the laws of this state.

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

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

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

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

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

12 SECTION 6. The following provisions are repealed:

13 (1) Section 170A.002(b), Health and Safety Code; and

14 (2) Chapter 6-1/2, Title 71, Revised Statutes.

15 SECTION 7. As soon as practicable after the effective date
16 of this Act, the Texas Medical Board shall publish the list of
17 medical conditions the board identifies as posing a risk of serious
18 harm to a pregnant patient's health or well-being as required by
19 Section 170A.002(e), Health and Safety Code, as added by this Act.

20 SECTION 8. This Act takes effect September 1, 2025.