

1-1 By: Kolkhorst, et al. S.B. No. 1388  
1-2 (In the Senate - Filed February 19, 2025; March 6, 2025,  
1-3 read first time and referred to Committee on Health & Human  
1-4 Services; March 31, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 2;  
1-6 March 31, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Blanco		X	
1-12	Cook		X	
1-13	Hall	X		
1-14	Hancock	X		
1-15	Hughes	X		
1-16	Miles	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1388 By: Hancock

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to family support services provided under a Health and  
1-22 Human Services Commission program.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 54.001, Health and Safety Code, as added  
1-25 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular  
1-26 Session, 2023, is amended by amending Subdivision (2) and adding  
1-27 Subdivisions (3), (4), (5), and (6) to read as follows:

1-28 (2) "Abortion services provider" means a person who  
1-29 provides abortion-related services, including:

1-30 (A) an abortion provider;

1-31 (B) a person who provides or refers an individual  
1-32 for abortion-inducing drugs for the purpose of inducing an abortion  
1-33 to terminate a pregnancy;

1-34 (C) a person who facilitates or funds travel to  
1-35 receive an abortion or abortion-related services;

1-36 (D) a person who provides information or  
1-37 education relating to abortion or abortion-related services; or

1-38 (E) a person who conducts any other activity  
1-39 related to providing, recommending, or advocating for  
1-40 abortion-related services.

1-41 (3) "Affiliate" means a person who enters into with  
1-42 another person a legal relationship created or governed by at least  
1-43 one written instrument, including a certificate of formation, a  
1-44 franchise agreement, standards of affiliation, bylaws, or a  
1-45 license, that demonstrates:

1-46 (A) common ownership, management, or control  
1-47 between the parties to the relationship;

1-48 (B) a franchise granted by the person to the  
1-49 affiliate; or

1-50 (C) the granting or extension of a license or  
1-51 other agreement authorizing the affiliate to use the other person's  
1-52 brand name, trademark, service mark, or other registered  
1-53 identification mark.

1-54 (4) "Governmental entity" means this state or a state  
1-55 agency or political subdivision of this state, including a court,  
1-56 municipality, or county.

1-57 (5) "Network contractor" means a person who contracts  
1-58 with the commission to provide or coordinate the provision of  
1-59 services under this chapter.

1-60 (6) "Program" means the Thriving Texas Families

2-1 Program established under this chapter.

2-2 SECTION 2. Section 54.002, Health and Safety Code, as added  
 2-3 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular  
 2-4 Session, 2023, is amended by amending Subsections (a) and (d) and  
 2-5 adding Subsection (f) to read as follows:

2-6 (a) The commission shall establish the Thriving Texas  
 2-7 Families Program as a continuation of the alternatives to abortion  
 2-8 program to facilitate the operation of a statewide support network  
 2-9 that provides:

2-10 (1) community outreach, consultation, and care  
 2-11 coordination for women with an unexpected pregnancy; and

2-12 (2) an alternative to abortion through life-affirming  
 2-13 pregnancy, adoption, and parenting and family support services.

2-14 (d) In developing the statewide network of service  
 2-15 providers, the commission shall:

2-16 (1) [7] to the extent practicable, contract with  
 2-17 providers who have a history of working with the commission in  
 2-18 programs similar to the program created by this chapter; and

2-19 (2) ensure that service providers are not associated  
 2-20 with an abortion services provider and do not provide, refer  
 2-21 patients to, advocate for, or promote abortion services by  
 2-22 verifying the provider:

2-23 (A) remains a legally separate entity from any  
 2-24 abortion services provider and does not enter into any legal  
 2-25 relationship with any abortion services provider;

2-26 (B) does not contract with or transfer any money,  
 2-27 through gift or payment, to an abortion services provider or  
 2-28 affiliate;

2-29 (C) does not share any employees or members of  
 2-30 its governing body with an abortion services provider or affiliate;

2-31 (D) does not recommend abortion as an option for  
 2-32 a client; and

2-33 (E) does not display or use the names or  
 2-34 trademarks of an abortion services provider in describing or naming  
 2-35 the provider under this program.

2-36 (f) Each network contractor and service provider shall  
 2-37 annually certify in writing to the commission that the network  
 2-38 contractor or service provider:

2-39 (1) upholds the life-affirming mission of the program;  
 2-40 and

2-41 (2) is not involved in activities contradicting the  
 2-42 program's objective of offering an alternative to abortion.

2-43 SECTION 3. Sections 54.003(b) and (e), Health and Safety  
 2-44 Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th  
 2-45 Legislature, Regular Session, 2023, are amended to read as follows:

2-46 (b) Services provided through the program include:

2-47 (1) counseling and mentoring on pregnancy, education,  
 2-48 parenting skills, adoption services, life skills, and employment  
 2-49 readiness topics;

2-50 (2) care coordination for prenatal, perinatal, and  
 2-51 postnatal services, including connecting participants to health  
 2-52 services;

2-53 (3) educational materials and information about  
 2-54 pregnancy, parenting, and adoption services;

2-55 (4) referrals to governmental and social service  
 2-56 programs, including child care, transportation, housing, and state  
 2-57 and federal benefit programs;

2-58 (5) classes on life skills, personal finance,  
 2-59 parenthood, stress management, job training, job readiness, job  
 2-60 placement, and educational attainment;

2-61 (6) provision of supplies for infant care and  
 2-62 pregnancy, including car seats, cribs, maternity clothes, infant  
 2-63 diapers, and formula; ~~and~~

2-64 (7) housing services; and

2-65 (8) assistance in identifying and applying for stable  
 2-66 housing services other than housing provided as authorized by  
 2-67 Subsection (d).

2-68 (e) The commission or network contractors may not provide  
 2-69 family planning or any abortion-related services through the

3-1 network.

3-2 SECTION 4. Section 54.006(b), Health and Safety Code, as  
 3-3 added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature,  
 3-4 Regular Session, 2023, is amended to read as follows:

3-5 (b) The commission shall seek comments from network  
 3-6 providers in identifying ~~[identify]~~ indicators to measure the  
 3-7 performance outcomes under Subsection (a) and require periodic  
 3-8 reporting on the outcomes by network contractors and participating  
 3-9 service providers.

3-10 SECTION 5. Section 54.011, Health and Safety Code, as added  
 3-11 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular  
 3-12 Session, 2023, is amended by amending Subsection (b) and adding  
 3-13 Subsections (d) and (e) to read as follows:

3-14 (b) The commission or a service provider may not:

3-15 (1) use funding provided through the program to  
 3-16 perform, induce, assist, or refer an abortion; or

3-17 (2) grant funds to an abortion provider, ~~[or]~~ an  
 3-18 affiliate of an abortion provider, or an abortion services  
 3-19 provider.

3-20 (d) An organization is not eligible for funding under this  
 3-21 chapter if the organization:

3-22 (1) is a governmental entity or quasi-governmental  
 3-23 entity;

3-24 (2) is a hospital or hospital district;

3-25 (3) primarily functions as a medical, behavioral  
 3-26 health, or mental health provider;

3-27 (4) shares any employees or members of its governing  
 3-28 body with an abortion services provider; or

3-29 (5) is affiliated with, collaborates, or has a  
 3-30 relationship with an organization that shares any employees or  
 3-31 members of its governing body with an abortion services provider.

3-32 (e) Subsections (d)(2) and (3) do not apply to:

3-33 (1) an organization that contracted with the  
 3-34 commission before September 1, 2023, for the purpose of providing  
 3-35 an alternative to abortion; or

3-36 (2) an organization that subcontracted with an  
 3-37 organization described by Subdivision (1) for the purpose of  
 3-38 providing an alternative to abortion.

3-39 SECTION 6. As soon as practicable after the effective date  
 3-40 of this Act, the executive commissioner of the Health and Human  
 3-41 Services Commission shall adopt rules as necessary to implement the  
 3-42 changes in law made by this Act.

3-43 SECTION 7. This Act takes effect September 1, 2025.

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