

Amend SB 419 on third reading as follows:

(1) Strike the proposed introductory language to amended Section 164.052, Occupations Code, and substitute the following:

SECTION __. Section 164.052, Occupations Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(2) In amended Section 164.052(a)(17), Occupations Code, as amended by Amendment No. 11 by Hartnett, strike "board; or" and substitute "board;".

(3) In proposed Section 164.052(a)(18), Occupations Code, as added by Amendment No. 11 by Hartnett, strike the period and substitute the following:

; or

(19) performs an abortion on a pregnant unemancipated minor, unless the physician performing the abortion or the physician's agent obtains:

(A) from the minor's parent who appears in person at the facility where the abortion is to be performed, if the minor does not have a managing conservator or guardian, a copy of the parent's proof of identification and a completed, signed form with the following statement:

"I certify that I, _____ (insert parent's name), am the parent of _____ (insert minor daughter's name) and have consented to _____ (insert physician's name) performing an abortion on _____ (insert minor daughter's name). I understand that any person who intentionally, knowingly, recklessly, or with criminal negligence makes a fraudulent statement in this regard commits an offense punishable by law.

_____ Signature of parent

_____ Date of signature"; or

(B) from the minor's court-appointed managing conservator or guardian who appears in person at the facility where the abortion is to be performed a copy of the conservator's or guardian's proof of identification and a completed, signed form with the following statement:

"I certify that I, _____ (insert conservator's or guardian's name), am the conservator or guardian of _____

(insert minor's name) and have consented to _____ (insert physician's name) performing an abortion on _____ (insert minor's name). I understand that any person who intentionally, knowingly, recklessly, or with criminal negligence makes a fraudulent statement in this regard commits an offense punishable by law.

_____ Signature of conservator or guardian

_____ Date of signature.

(a-1) A person who is unable to produce satisfactory proof of the identity, the relationship, or any other fact required under Subsection (a)(18), or a pregnant female whose ability to obtain an abortion is affected by Subsection (a)(18), may file a petition or motion with any county court at law, court having probate jurisdiction, or district court, including a family district court, of the county in which the person resides or of the county in which the abortion is to be performed. The judge of the court, after conducting a hearing in accordance with the required procedures and determining by a preponderance of the evidence the truth of the requisite fact or facts, shall issue an order authorizing the physician to perform the abortion.

(a-2) An order authorizing a physician to perform an abortion issued as provided by Subsection (a-1) may not be appealed. A person whose petition or motion submitted under Subsection (a-1) is denied may appeal to the court of appeals having jurisdiction over civil matters in the county in which the application was filed.