

By: Villarreal

H.B. No. 1312

A BILL TO BE ENTITLED

AN ACT

relating to the place where certain abortions may be performed.

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

SECTION 1. Section 171.004, Health and Safety Code, is amended to read as follows:

Sec. 171.004. ABORTION OF FETUS AGE 16 WEEKS OR MORE. (a) Except as provided by Subsection (b), an [An] abortion of a fetus age 16 weeks or more may be performed only at an ambulatory surgical center or hospital licensed to perform the abortion.

(b) Subsection (a) does not apply if at the time of the abortion the physician performing the abortion has concluded in good faith according to the physician's best medical judgment that:

(1) the abortion is necessary to prevent the death of or a substantial risk of serious impairment to the health of the woman on whom the abortion is to be performed; or

(2) the fetus has a severe and irreversible abnormality, identified by reliable diagnostic procedures.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.