

By: Christian

H.B. No. 3152

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting the performance of an abortion on a woman  
3 who is not known to be pregnant; providing penalties.

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

5 SECTION 1. Section 170.002, Health and Safety Code, is  
6 amended by adding Subsection (d) to read as follows:

7 (d) A physician commits an offense if the physician  
8 intentionally uses an instrument, medicine, drug, or other  
9 substance or device developed to terminate the pregnancy of a woman  
10 on a woman who is not known to be pregnant, unless the physician is  
11 using the instrument, medicine, drug, or other substance or device  
12 for a legitimate medical purpose other than the termination of a  
13 pregnancy. An offense under this subsection is a Class A  
14 misdemeanor.

15 SECTION 2. The change in law made by this Act applies only  
16 to an offense committed on or after the effective date of this Act.  
17 An offense committed before the effective date of this Act is  
18 governed by the law in effect when the offense was committed, and  
19 the former law is continued in effect for that purpose. For  
20 purposes of this section, an offense was committed before the  
21 effective date of this Act if any element of the offense occurred  
22 before that date.

23 SECTION 3. This Act takes effect September 1, 2009.