

By: Farrar

H.B. No. 3745

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the standards of medical information provided in the
3 informational materials developed by the Department of State Health
4 Services provided to a woman who is considering having an abortion.

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

6 SECTION 1. Section 171.014 of the Health and Safety Code is
7 amended to read as follows:

8 Sec. 171.014. INFORMATIONAL MATERIALS (a) The department
9 shall publish informational materials that include:

10 (1) the information required to be provided under
11 Sections 171.012(a)(1)(B) and (D) and (a)(2)(A), (B), and (C); and

12 (2) the materials required by Sections 171.015 and
13 171.016.

14 (b) The materials shall be published in:

15 (1) English and Spanish;

16 (2) an easily comprehensible form; and

17 (3) a typeface large enough to be clearly legible.

18 (c) The materials shall be available at no cost from the
19 department on request. The department shall provide appropriate
20 quantities of the materials to any person.

21 (d) The department shall annually review the materials to
22 determine if changes to the contents of the materials are
23 necessary. The department shall adopt rules necessary for
24 considering and making changes to the materials.

1 (e) The department shall develop and maintain an Internet
2 website to display the information required to be published under
3 this section. In developing and maintaining the website the
4 department shall, to the extent reasonably practicable, safeguard
5 the website against alterations by anyone other than the department
6 and shall monitor the website each day to prevent and correct
7 tampering. The department shall ensure that the website does not
8 collect or maintain information regarding access to the website.

9 (f) In addition to any other organization or entity, the
10 department shall use the American College of Obstetricians and
11 Gynecologists as the resource in developing information required to
12 be provided under Sections 171.012(a)(1)(B) and (D), Sections
13 171.012(a)(2)(A), (B), and (C), and Section 171.016, and in
14 maintaining the department's Internet website.

15 (f-1) The department shall only publish information
16 required to be provided under Sections 171.012(a)(1)(B) and (D),
17 Sections 171.012(a)(2)(A), (B), and (C), and Section 171.016, and
18 in maintaining the department's Internet website, which conforms to
19 standards adopted by the National Institute of Health, and its
20 partner organizations.

21 SECTION 2. Section 171.016 of the Health and Safety Code is
22 amended to read as follows:

23 Sec. 171.016. INFORMATION RELATING TO CHARACTERISTICS OF
24 ~~UNBORN CHILD~~ FETUS OR EMBRYO. (a) The informational materials must
25 include materials designed to inform the woman of the probable
26 anatomical and physiological characteristics of the ~~unborn child~~
27 fetus or embryo at two-week gestational increments from the time

1 when a woman can be known to be pregnant to full term, including any
2 relevant information on the possibility of the ~~unborn child's~~
3 fetus' or embryo's survival.

4 (b) The materials must include color pictures representing
5 the development of the child at two-week gestational increments.
6 The pictures must contain the dimensions of the ~~unborn child~~ fetus
7 or embryo and must be realistic.

8 (c) The materials provided under this section must be
9 objective and nonjudgmental and be designed to convey only accurate
10 scientific information about the ~~unborn child~~ fetus or embryo at
11 the various gestational ages, in accordance to standards adopted by
12 the National Institute of Health, and its partner organizations.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.