FLOOR AMENDMENT NO._____ BY: _____

Amend C.S.H.B. No. 3994 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION __. Chapter 33, Family Code, is amended by adding Sections 33.012 and 33.013 to read as follows:

Sec. 33.012. CIVIL PENALTY. (a) A person who intentionally, knowingly, recklessly, or negligently violates this chapter is liable for a civil penalty in an amount:

(1) of $10,000 for the first violation;

(2) of $50,000 for the second violation;

(3) of $100,000 for the third violation; or

(4) greater than $100,000 that is sufficient to deter future violations for each subsequent violation.

(b) Each performance or attempted performance of an abortion in violation of this chapter is a separate violation.

(c) A civil penalty may not be assessed against a minor on whom an abortion is performed or attempted.

(d) It is not a defense to an action brought under this section that the minor gave informed and voluntary consent.

Sec. 33.013. CAPACITY TO CONSENT. An unemancipated minor does not have the capacity to consent to any action that violates this chapter.