

## **BILL ANALYSIS**

H.B. 14  
By: Springer  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that governmental entities should not support entities that provide abortions with taxpayer funds. H.B. 14 seeks to address this issue by prohibiting a governmental entity from entering into certain transactions or a contract with certain abortion providers or affiliates.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 14 amends the Government Code to prohibit a governmental entity from entering into a taxpayer resource transaction or contract with an abortion provider, defined by the bill as a licensed abortion facility or a licensed ambulatory surgical center that is used substantially for the purpose of performing abortions, or with an affiliate, as defined by the bill, of an abortion provider. This prohibition expressly does not apply to a taxpayer resource transaction involving a federal law that conflicts with the prohibition as determined by the executive commissioner of the Health and Human Services Commission and confirmed in writing by the attorney general. The bill authorizes the attorney general to bring an action in the name of the state to enjoin a violation of the prohibition and to recover reasonable attorney's fees and costs incurred in bringing such an action and waives the sovereign or governmental immunity, as applicable, of a governmental entity to suit and from liability to the extent of liability created by that authorization. The bill's provisions do not apply to a licensed hospital, the office of a licensed physician that is not used substantially for the purpose of performing abortions, a state hospital, a teaching hospital of a public or private institution of higher education, or an accredited residency program providing training to resident physicians. The bill establishes that for purposes of its provisions a facility is not considered to be an abortion provider solely based on the performance of an abortion at the facility during a medical emergency.

H.B. 14 provides for the meaning of "abortion" by reference to the Texas Abortion Facility Reporting and Licensing Act; defines "governmental entity" as the state, a state agency in the executive, judicial, or legislative branch of state government, or a political subdivision of the state; and defines "taxpayer resource transaction" as a sale, purchase, lease, donation of money, goods, services, or real property, or any other transaction between a governmental entity and a private entity that provides to the private entity something of value derived directly or indirectly from state or local tax revenue, regardless of whether the governmental entity receives

something of value in return. The bill expressly excludes from the meaning of "taxpayer resource transaction" the provision of basic public services, including fire and police protection and utilities, by a governmental entity to an abortion provider or affiliate in the same manner as the entity provides the services to the general public.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, the 91st day after the last day of the legislative session.