

By: Huffines

S.B. No. 53

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the participation of a charitable organization that
3 facilitates the procurement of an elective abortion in the state
4 employee charitable campaign.

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

6 SECTION 1. Section 659.146, Government Code, is amended by
7 amending Subsection (a) and adding Subsection (h) to read as
8 follows:

9 (a) To be eligible to participate in a state employee
10 charitable campaign, a charitable organization must:

11 (1) be governed by a voluntary board of citizens that
12 meets at least twice each year to set policy and manage the affairs
13 of the organization;

14 (2) if the organization's annual budget:

15 (A) does not exceed \$250,000, provide a completed
16 Internal Revenue Service Form 990 and an accountant's review that
17 offers full and open disclosure of the organization's internal
18 operations; or

19 (B) exceeds \$250,000, be audited annually in
20 accordance with generally accepted auditing standards of the
21 American Institute of Certified Public Accountants; ~~and~~

22 (3) not spend more than 25 percent of its annual
23 revenue for administrative and fund-raising expenses; and

24 (4) not directly or indirectly facilitate the

1 procurement of an elective abortion.

2 (h) In this section, "elective abortion" means, for a female
3 known by an attending physician to be pregnant, the intentional
4 termination of the pregnancy using any means reasonably likely to
5 cause the death of the fetus. The term does not include the
6 termination of a pregnancy:

7 (1) that resulted from an act of rape or incest;

8 (2) for a female who suffers from a physical disorder,
9 disability, or illness, including a life-threatening physical
10 condition caused by or arising from the pregnancy, that, as
11 certified by a physician, places the female in danger of death or
12 risk of substantial impairment of a major bodily function unless an
13 abortion is performed; or

14 (3) that involves a fetus with a life-threatening
15 physical condition that, in reasonable medical judgment and
16 regardless of the provision of lifesaving treatment, is
17 incompatible with life outside the womb.

18 SECTION 2. Not later than April 1, 2018, the state employee
19 charitable campaign policy committee shall modify the guidelines
20 established under Section 659.146(f), Government Code, for
21 evaluating the applications of charitable organizations to be
22 consistent with the changes in law made by this Act. The state
23 employee charitable campaign policy committee shall exclude from
24 participation in a state employee charitable campaign any
25 charitable organization that does not meet the modified guidelines.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect December 1, 2017.