

By: Rodríguez

S.B. No. 149

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the capacity of certain minors to consent to  
3 examination or medical treatment related to childbirth and  
4 contraception.

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

6 SECTION 1. Section 32.003(a), Family Code, is amended to  
7 read as follows:

8 (a) A child may consent to medical, dental, psychological,  
9 and surgical treatment for the child by a licensed physician or  
10 dentist if the child:

11 (1) is on active duty with the armed services of the  
12 United States of America;

13 (2) is:

14 (A) 16 years of age or older and resides separate  
15 and apart from the child's parents, managing conservator, or  
16 guardian, with or without the consent of the parents, managing  
17 conservator, or guardian and regardless of the duration of the  
18 residence; and

19 (B) managing the child's own financial affairs,  
20 regardless of the source of the income;

21 (3) consents to the diagnosis and treatment of an  
22 infectious, contagious, or communicable disease that is required by  
23 law or a rule to be reported by the licensed physician or dentist to  
24 a local health officer or the [~~Texas~~] Department of State Health

1 Services, including all diseases within the scope of Section  
2 81.041, Health and Safety Code;

3 (4) is unmarried and pregnant, or recently pregnant,  
4 and consents to hospital, medical, or surgical treatment, other  
5 than abortion, related to the pregnancy, including postpartum care;

6 (5) consents to examination and treatment for drug or  
7 chemical addiction, drug or chemical dependency, or any other  
8 condition directly related to drug or chemical use;

9 (6) is unmarried, is the parent of a child, and has  
10 actual custody of his or her child and consents to medical, dental,  
11 psychological, or surgical treatment for the child; ~~or~~

12 (7) is serving a term of confinement in a facility  
13 operated by or under contract with the Texas Department of Criminal  
14 Justice, unless the treatment would constitute a prohibited  
15 practice under Section 164.052(a)(19), Occupations Code; or

16 (8) is unmarried, is the mother of a child, and  
17 consents to examination or medical treatment, other than abortion,  
18 related to contraception.

19 SECTION 2. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2019.