

By: Noble

H.B. No. 36

A BILL TO BE ENTITLED

1 AN ACT
2 relating to prohibited logistical support by a governmental entity
3 for procurement of an abortion or the services of an abortion
4 provider.

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

6 SECTION 1. Chapter 2272, Government Code, as added by
7 Chapter 501 (S.B. 22), Acts of the 86th Legislature, Regular
8 Session, 2019, is amended by adding Section 2272.0031 to read as
9 follows:

10 Sec. 2272.0031. LOGISTICAL SUPPORT PROHIBITED. (a) Except
11 as provided by Subsection (b), a governmental entity may not enter
12 into a taxpayer resource transaction or appropriate or spend money
13 to provide to any person logistical support for the express purpose
14 of assisting a woman with procuring an abortion or the services of
15 an abortion provider. Logistical support includes providing money
16 for:

- 17 (1) child care;
18 (2) travel or any form of transportation to or from an
19 abortion provider;
20 (3) lodging;
21 (4) food or food preparation;
22 (5) counseling that encourages a woman to have an
23 abortion; and
24 (6) any other service that facilitates the provision

1 of an abortion.

2 (b) This section does not apply to a taxpayer resource
3 transaction entered into or money appropriated or spent by a
4 governmental entity that is subject to a federal law in conflict
5 with Subsection (a) as determined by the executive commissioner of
6 the Health and Human Services Commission and confirmed in writing
7 by the attorney general.

8 SECTION 2. Section 2272.004(a), Government Code, as added
9 by Chapter 501 (S.B. 22), Acts of the 86th Legislature, Regular
10 Session, 2019, is amended to read as follows:

11 (a) The attorney general may bring an action in the name of
12 the state to enjoin a violation of Section 2272.003 or 2272.0031.
13 The attorney general may recover reasonable attorney's fees and
14 costs incurred in bringing an action under this subsection.

15 SECTION 3. It is the intent of the legislature that every
16 provision, section, subsection, sentence, clause, phrase, or word
17 in this Act, and every application of the provisions in this Act to
18 each person or entity, are severable from each other. If any
19 application of any provision in this Act to any person, group of
20 persons, or circumstances is found by a court to be invalid for any
21 reason, the remaining applications of that provision to all other
22 persons and circumstances shall be severed and may not be affected.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect on the 91st day after the last day of the

1 legislative session.