

By: Menéndez, et al.

S.B. No. 44

A BILL TO BE ENTITLED

AN ACT

relating to sexual assault and incest exceptions to the prohibition on abortion after the detection of a fetal heartbeat.

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

SECTION 1. The heading to Section 171.205, Health and Safety Code, is amended to read as follows:

Sec. 171.205. EXCEPTIONS [~~EXCEPTION FOR MEDICAL EMERGENCY~~]; RECORDS.

SECTION 2. Section 171.205, Health and Safety Code, is amended by adding Subsections (a-1) and (b-1) and amending Subsection (c) to read as follows:

(a-1) Sections 171.203 and 171.204 do not apply to an abortion of a pregnancy that is a result of a sexual assault in violation of Section 22.011 or 22.021, Penal Code, or of conduct constituting an offense under Section 25.02, Penal Code.

(b-1) A physician who performs or induces an abortion described by Subsection (a-1) shall make a written notation of the exception in the pregnant woman's medical file.

(c) A physician performing or inducing an abortion under this section shall maintain in the physician's practice records a copy of the notations made under Subsection (b) or (b-1), as applicable.

SECTION 3. Section 171.205, Health and Safety Code, as amended by this Act, applies only to an abortion performed or

1 induced on or after the effective date of this Act.

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