87R4624 SRA-F

By:  Noble, Morrison, Klick, Hull, Swanson, H.B. No. 1173

     et al.

A BILL TO BE ENTITLED

AN ACT

relating to prohibited logistical support by a governmental entity for procurement of an abortion or the services of an abortion provider.

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

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

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

(1)  child care;

(2)  travel or any form of transportation to or from an abortion provider;

(3)  lodging;

(4)  food or food preparation;

(5)  counseling that encourages a woman to have an abortion; and

(6)  any other service that facilitates the provision of an abortion.

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

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

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

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

SECTION 4.  This Act takes effect September 1, 2021.