87R12966 SCL-D

By:  Hefner H.B. No. 4200

A BILL TO BE ENTITLED

AN ACT

relating to regulatory authority of a municipality, including authority to prohibit abortions.

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

SECTION 1.  Subchapter E, Chapter 51, Local Government Code, is amended by adding Section 51.080 to read as follows:

Sec. 51.080.  AUTHORITY TO PROHIBIT ABORTION. Notwithstanding any other law, a home-rule municipality by ordinance may prohibit a person from performing an abortion, or prescribing a medication to induce an abortion, at a location in the municipality.

SECTION 2.  Subchapter A, Chapter 54, Local Government Code, is amended by adding Section 54.007 to read as follows:

Sec. 54.007.  PENALTIES FOR CONDUCT PUNISHABLE UNDER STATE LAW. Except as otherwise specifically provided by state law, a municipality may not adopt or enforce an ordinance that provides a penalty for conduct punishable under state law as a misdemeanor or by a civil penalty.

SECTION 3.  Section 229.001(a), Local Government Code, is amended to read as follows:

(a)  Notwithstanding any other law, including Section 43.002 of this code and Chapter 251, Agriculture Code, a municipality may not adopt or enforce regulations relating to:

(1)  the transfer, possession, wearing, carrying, ownership, storage, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories;

(2)  commerce in firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; or

(3)  the discharge of a firearm or air gun at a sport shooting range.

SECTION 4.  The change in law made by this Act applies only to a criminal offense committed or a violation that occurs on or after the effective date of this Act. A criminal offense committed or a violation that occurs before the effective date of this Act is governed by the law in effect on the date the offense was committed or the violation occurred, and the former law is continued in effect for that purpose. For purposes of this section, a criminal offense was committed or a violation occurred before the effective date of this Act if any element of the offense or violation occurred before that date.

SECTION 5.  This Act takes effect September 1, 2021.