

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,

1 ownership, storage, transportation, licensing, or registration of  
2 firearms, air guns, knives, ammunition, or firearm or air gun  
3 supplies or accessories;

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

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

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

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