

BILL ANALYSIS

Senate Research Center
88R945 MCF-D

S.B. 959
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the 86th Legislative Session, the governor signed S.B. 22 into law prohibiting all future state and local taxpayer dollars from funding abortion providers and their affiliates. The intended purpose of S.B. 22 was to prohibit all local and state publicly funded entities from using taxpayer resources to donate to, pay for services, or purchase items from abortion providers and their affiliates.

Given the unique policy implications related to abortion and the deeply held personal beliefs of many Texans concerning abortion, it has been a widely accepted practice to prevent taxpayer dollars from being used to fund entities involved in abortion.

Recently it was discovered that some open-enrollment charter schools, which receive taxpayer funds, have been using Planned Parenthood curriculum to teach sex education. S.B. 22 intended to prohibit all public schools, including charter schools, from giving taxpayer resources to abortion providers and affiliates such as Planned Parenthood. A conflicting definition in statute unintentionally left open-enrollment charter schools out of the definition of "governmental entities" in S.B. 22. S.B. 959 seeks to remedy this issue.

S.B. 959 seeks to tighten current statute under Section 2273.001(4), Government Code, by including open-enrollment charter schools in the definition of "governmental entity," thus expressly prohibiting these schools from using taxpayer resources on abortion providers and their affiliates.

As proposed, S.B. 959 amends current law relating to certain prohibited transactions between an open-enrollment charter school and an abortion provider or affiliate of the provider.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2273.001(4), Government Code, as follows:

(4) Provides that "governmental entity" means this state, a state agency in the executive, judicial, or legislative branch of state government, a political subdivision of this state, or an open-enrollment charter school established under Subchapter D (Open-Enrollment Charter School), Chapter 12, Education Code. Makes a nonsubstantive change.

SECTION 2. Makes application of Section 2273.001(4), Government Code, as amended by this Act, prospective.

SECTION 3. Effective date: upon passage or September 1, 2023.