88R7325 JG-D

By:  Howard H.B. No. 1941

A BILL TO BE ENTITLED

AN ACT

relating to the purchase and use of and access to information on contraceptives.

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

SECTION 1.  Chapter 161, Health and Safety Code, is amended by adding Subchapter Y to read as follows:

SUBCHAPTER Y. CONTRACEPTIVES

Sec. 161.751.  DEFINITIONS. In this subchapter:

(1)  "Contraceptive" means a drug, device, or other method of preventing pregnancy that is approved by the United States Food and Drug Administration.

(2)  "Emergency contraceptive" means a drug containing an elevated dose of hormones that:

(A)  is used postcoitally;

(B)  prevents pregnancy by preventing fertilization of an egg or preventing implantation of a fertilized egg in a uterus; and

(C)  is approved by the United States Food and Drug Administration.

Sec. 161.752.  PROHIBITED GOVERNMENTAL RESTRICTIONS RELATED TO CONTRACEPTIVES. Notwithstanding any other law, a state or local governmental entity may not prohibit or restrict in any manner the right of an individual:

(1)  to purchase or use a contraceptive, including an emergency contraceptive; or

(2)  to access information on contraceptives, including emergency contraceptives.

SECTION 2.  This Act takes effect September 1, 2023.