By:  Plesa H.B. No. 4137

A BILL TO BE ENTITLED

AN ACT

relating to the provision of contraceptive methods at public institutions of higher education.

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

SECTION 1.  Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9186 to read as follows:

Sec. 51.9186.  AVAILABILITY OF NON-PRESCRIPTION CONTRACEPTIVE METHODS. (a) In this section:

(1)  "Institution of higher education" has the meaning assigned by Section 61.003.

(2)  "Non-Prescription Contraceptive Methods" Any birth control option approved by the United States Food and Drug Administration for sale over the counter without a prescription.

(b)  Each institution of higher education shall make non-prescription contraceptive methods, including but not limited to condoms and emergency contraception, available free of charge or through an automated vending machine in at least one public space with twenty-four hour access and in at least one women's restroom and all-gender restroom in on-campus residence halls.

SECTION 2.  This Act applies beginning with the 2023-2024 academic year.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.