

By: Noble

H.B. No. 61

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to prohibited logistical support by a governmental entity  
3 for procurement of an abortion or an abortion provider's services.

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

5 SECTION 1. Chapter 2273, Government Code, is amended by  
6 adding Section 2273.0031 to read as follows:

7 Sec. 2273.0031. LOGISTICAL SUPPORT PROHIBITED. (a) Except  
8 as provided by Subsection (b), a governmental entity may not enter  
9 into a taxpayer resource transaction or appropriate or spend money  
10 to provide to any person logistical support for the express purpose  
11 of assisting a woman with procuring an abortion or an abortion  
12 provider's services. Logistical support includes providing money  
13 for:

14 (1) child care;

15 (2) travel or any form of transportation to or from an  
16 abortion provider;

17 (3) lodging;

18 (4) food or food preparation;

19 (5) counseling that encourages a woman to have an  
20 abortion; and

21 (6) any other service that facilitates the provision  
22 of an abortion.

23 (b) This section does not apply to a taxpayer resource  
24 transaction entered into or money appropriated or spent by a

1 governmental entity that is subject to a federal law in conflict  
2 with Subsection (a) as the executive commissioner of the Health and  
3 Human Services Commission determines and the attorney general  
4 confirms in writing.

5 SECTION 2. Section 2273.004(a), Government Code, is amended  
6 to read as follows:

7 (a) The attorney general may bring an action in the name of  
8 the state to enjoin a violation of Section 2273.003 or 2273.0031  
9 [~~2272.003~~]. The attorney general may recover reasonable attorney's  
10 fees and costs incurred in bringing an action under this  
11 subsection.

12 SECTION 3. It is the intent of the legislature that every  
13 provision, section, subsection, sentence, clause, phrase, or word  
14 in this Act, and every application of the provisions in this Act to  
15 each person or entity, is severable from each other. If any  
16 application of any provision in this Act to any person, group of  
17 persons, or circumstances is found by a court to be invalid for any  
18 reason, the remaining applications of that provision to all other  
19 persons and circumstances shall be severed and may not be affected.

20 SECTION 4. This Act takes effect September 1, 2023.