

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 2, 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

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2023.