

By: Hall

S.B. No. 300

A BILL TO BE ENTITLED

AN ACT

relating to a pharmacist's authority to refuse to dispense a drug.

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

SECTION 1. Section 551.006, Occupations Code, is amended to read as follows:

Sec. 551.006. ~~[EXCLUSIVE]~~ AUTHORITY TO REFUSE TO DISPENSE.

(a) In this section, "emergency contraceptive" means a drug containing an elevated dose of hormones that:

(1) is used postcoitally;

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

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

(b) Notwithstanding any other law, a pharmacist may refuse to dispense a drug only if the drug is:

(1) an abortion-inducing drug or emergency contraceptive; or

(2) a controlled substance listed in Schedules II through V as established under Chapter 481, Health and Safety Code, and the pharmacist reasonably suspects the drug will be misused
~~[has the exclusive authority to determine whether or not to dispense a drug].~~

SECTION 2. This Act takes effect immediately if it receives

S.B. No. 300

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