

By: Hall

S.B. No. 314

A BILL TO BE ENTITLED

AN ACT

relating to required labeling of certain products that contain or are derived from aborted human fetal tissue.

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

SECTION 1. Subchapter D, Chapter 431, Health and Safety Code, is amended by adding Section 431.085 to read as follows:

Sec. 431.085. LABELING REQUIRED FOR FETAL TISSUE FOOD PRODUCT. (a) In this section:

(1) "Fetal tissue food product" means a food or food additive that:

(A) contains human fetal tissue;

(B) is manufactured using human fetal tissue; or

(C) is otherwise derived from research using human fetal tissue.

(2) "Human fetal tissue" means tissue, cells, or organs obtained from an aborted unborn child.

(b) A person may not sell in this state a fetal tissue food product unless the product is clearly and conspicuously labeled in accordance with department rules.

(c) The executive commissioner by rule shall prescribe the form and contents of the label required by Subsection (b).

SECTION 2. Subchapter E, Chapter 431, Health and Safety Code, is amended by adding Section 431.118 to read as follows:

Sec. 431.118. LABELING REQUIRED FOR FETAL TISSUE MEDICAL

1 PRODUCT. (a) In this section:

2 (1) "Fetal tissue medical product" means a medication,
3 vaccine, or other medical product used in medical treatment that:

4 (A) contains human fetal tissue;

5 (B) is manufactured using human fetal tissue; or

6 (C) is otherwise derived from research using
7 human fetal tissue.

8 (2) "Human fetal tissue" means tissue, cells, or
9 organs obtained from an aborted unborn child.

10 (b) A person may not sell, dispense, or administer in this
11 state a fetal tissue medical product unless the product is clearly
12 and conspicuously labeled in accordance with department rules.

13 (c) The executive commissioner by rule shall prescribe the
14 form and contents of the label required by Subsection (b).

15 SECTION 3. Subchapter F, Chapter 431, Health and Safety
16 Code, is amended by adding Section 431.143 to read as follows:

17 Sec. 431.143. LABELING REQUIRED FOR FETAL TISSUE COSMETIC
18 PRODUCT. (a) In this section:

19 (1) "Fetal tissue cosmetic product" means a cosmetic
20 product that:

21 (A) contains human fetal tissue;

22 (B) is manufactured using human fetal tissue; or

23 (C) is otherwise derived from research using
24 human fetal tissue.

25 (2) "Human fetal tissue" means tissue, cells, or
26 organs obtained from an aborted unborn child.

27 (b) A person may not sell in this state a fetal tissue

1 cosmetic product unless the product is clearly and conspicuously
2 labeled in accordance with department rules.

3 (c) The executive commissioner by rule shall prescribe the
4 form and contents of the label required by Subsection (b).

5 SECTION 4. (a) Not later than December 1, 2023, the
6 executive commissioner of the Health and Human Services Commission
7 shall adopt the form and content of the labels required under
8 Sections 431.085, 431.118, and 431.143, Health and Safety Code, as
9 added by this Act.

10 (b) Sections 431.085, 431.118, and 431.143, Health and
11 Safety Code, as added by this Act, apply only to a fetal tissue
12 product sold, dispensed, or administered on or after January 1,
13 2024.

14 SECTION 5. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2023.