

By: Johnson

S.B. No. 366

A BILL TO BE ENTITLED

AN ACT

relating to the capacity of minors to consent to  
contraception-related examination or medical treatment.

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

SECTION 1. Section 32.003, Family Code, is amended by  
amending Subsection (a) and adding Subsection (g) to read as  
follows:

(a) A child may consent to medical, dental, psychological,  
and surgical treatment for the child by a licensed physician or  
dentist if the child:

(1) is on active duty with the armed services of the  
United States of America;

(2) is:

(A) 16 years of age or older and resides separate  
and apart from the child's parents, managing conservator, or  
guardian, with or without the consent of the parents, managing  
conservator, or guardian and regardless of the duration of the  
residence; and

(B) managing the child's own financial affairs,  
regardless of the source of the income;

(3) consents to the diagnosis and treatment of an  
infectious, contagious, or communicable disease that is required by  
law or a rule to be reported by the licensed physician or dentist to  
a local health officer or the [~~Texas~~] Department of State Health

1 Services, including all diseases within the scope of Section  
2 81.041, Health and Safety Code;

3 (4) is unmarried and pregnant and consents to  
4 hospital, medical, or surgical treatment, other than abortion,  
5 related to the pregnancy;

6 (5) consents to examination and treatment for drug or  
7 chemical addiction, drug or chemical dependency, or any other  
8 condition directly related to drug or chemical use;

9 (6) is unmarried, is the parent of a child, and has  
10 actual custody of his or her child and consents to medical, dental,  
11 psychological, or surgical treatment for the child; ~~or~~

12 (7) is serving a term of confinement in a facility  
13 operated by or under contract with the Texas Department of Criminal  
14 Justice, unless the treatment would constitute a prohibited  
15 practice under Section 164.052(a)(19), Occupations Code; or

16 (8) consents to a contraception-related examination  
17 or medical treatment, other than abortion.

18 (g) In this section, "contraception" means any reversible  
19 method of preventing pregnancy that is approved by the United  
20 States Food and Drug Administration.

21 SECTION 2. This Act takes effect September 1, 2023.