

Amend CSSB 2880 (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Chapter 171A, Health and Safety Code, immediately following Section 171A.052 (Page 2, between lines 67 and 68), insert the following section:

Sec. 171A.053. EXCEPTION FOR PREGNANCIES RESULTING FROM SEXUAL ASSAULT OR INCEST.(a) Notwithstanding any other provision of this chapter, a person may not be held liable under this chapter for conduct related to the manufacture, distribution, mailing, transport, delivery, prescription, provision, or facilitation of an abortion-inducing drug if:

(1) the abortion is sought or performed on a pregnant woman whose pregnancy is the result of conduct that constitutes an offense under Section 22.011, 22.021, 25.02, or 43.25, Penal Code; and

(2) the abortion is performed or induced in accordance with all other applicable state laws.

(b) A defendant asserting the exception under this section has the burden of proving by a preponderance of the evidence that the abortion met the criteria described by Subsection (a).

(c) Nothing in this section shall be construed to create a right to abortion not otherwise provided by law.

(2) In the appropriate sections of the bill, update cross-references and make conforming changes as necessary.