

BILL ANALYSIS

Senate Research Center
89R20681 KRM-D

C.S.S.B. 1388
By: Kolkhorst
Health & Human Services
3/26/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2023, the Texas Legislature passed S.B. 24 to improve pregnancy and family intervention-focused programs and place them under one state agency. This effort has driven efficiencies and built a "continuum-of-care" to support women and at-risk families who are facing an unintended pregnancy.

The bill codified the former "Alternatives to Abortion" program and renamed it "Thriving Texas Families" (TTF). It continued grant funding to providers that serve families by promoting healthy pregnancy and childbirth, adoption, family formation; and assistance to help Texas families thrive.

Historically, the program provided grants to non-profit organizations that were contractually restricted from providing abortion services or affiliated with organizations that facilitated, referred, or advocated for abortion services.

For clarification and consistency, S.B. 1388 ensures that the Thriving Texas Families program continues its pro-life mission and that organizations that have collaborations with or legal connections to entities that promote abortion are not eligible for funding.

The bill also sets program guardrails to focus on the core mission. S.B. 1388 clarifies that government or private entities focused primarily on medical or mental healthcare are ineligible for Thriving Texas Families funds.

Key Provisions:

- Makes clear that TTF remains a pro-life, pro-family program that is aimed to provide support for women experiencing crisis pregnancy and to services to achieve healthy pregnancy and outcomes for mothers and babies and to stabilize families for success.
- Organizations that have connections to abortion providers or abortion promoters are ineligible for TTF grants;
- Grantees under the program may not provide abortion-related services;
- Clarifies definition of housing services in the bill as assistance to find housing or housing-related services;
- Establishes that governmental entities or organizations that are primarily medical or behavioral health are not eligible for funding in TTF; and
- Establishes that any organization that is legally connected to, or shares employees with abortion related services providers are not eligible for funding in TTF.

Committee Substitute:

- Section 2 simply adds clarifying language that the program's objective is to assist in supporting women to choose life and as an alternative to abortion.

- Section 4 clarifies that organizations that currently have contracts for services are eligible to apply for funding, but must abide by provisions to ensure they are not affiliating with abortion providers.

C.S.S.B. 1388 amends current law relating to family support services provided under a Health and Human Services Commission program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 6 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.001, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, by amending Subdivision (2) and adding Subdivisions (3), (4), (5), and (6) to define "abortion services provider," "affiliate," "governmental entity," and "program."

SECTION 2. Amends Section 54.002, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, by amending Subsections (a) and (d) and adding Subsection (f), as follows:

(a) Requires the Health and Human Services Commission (HHSC) to establish the Thriving Texas Families Program (program) as a continuation of the alternatives to abortion program to facilitate the operation of a statewide support network that provides certain services, including an alternative to abortion through life-affirming pregnancy, adoption, and parenting and family support services. Makes nonsubstantive changes.

(d) Requires HHSC, in developing the statewide network of service providers, to take certain actions, including ensuring that service providers are not associated with an abortion services provider and do not provide, refer patients to, advocate for, or promote abortion services by verifying the provider meets certain requirements. Makes nonsubstantive changes.

(f) Requires each network contractor and service provider to annually certify in writing to HHSC that the network contractor or service provider upholds the life-affirming mission of the program and is not involved in activities contradicting the program's objective of offering an alternative to abortion.

SECTION 3. Amends Sections 54.003(b) and (e), Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, as follows:

(b) Provides that services provided through the program include certain services, including assistance in identifying and applying for stable housing services other than housing provided as authorized by Subsection (d) (relating to authorizing a network contractor to provide housing services through a maternity home). Makes nonsubstantive changes.

(e) Prohibits HHSC or the network contractor from providing family planning or any abortion-related services through the network.

SECTION 4. Amends Section 54.006(b), Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, to require HHSC to seek comments from network providers in identifying, rather than to identify, indicators to measure the performance outcomes under Subsection (a) (relating to providing that HHSC and its network contractors are authorized to contract only with service providers whose performance outcomes include certain standards) and require periodic reporting on the outcomes by network contractors and participating service providers.

SECTION 5. Amends Section 54.011, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, by amending Subsection (b) and adding Subsections (d) and (e), as follows:

(b) Prohibits HHSC or a service provider from taking certain actions relating to funds, including granting funds to an abortion provider, an affiliate of an abortion provider, or an abortion services provider. Makes a nonsubstantive change.

(d) Provides that an organization is not eligible for funding under Chapter 54 (Living Organ Donor Education Program) if the organization meets certain criteria.

(e) Provides that Subsections (d)(2) (relating to an organization that is a hospital or hospital district) and (3) (relating to an organization that primarily functions as a medical, behavioral health, or mental health provider) do not apply to certain organizations.

SECTION 6. Requires the executive commissioner of HHSC, as soon as practicable after the effective date of this Act, to adopt rules as necessary to implement the changes in law made by this Act.

SECTION 7. Effective date: September 1, 2025.